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CONTENTS

| | | |
|---|-------------------------------------|-----|
| ARKANSAS RICE LANDS | <i>Mary L. Hileman</i> | 93 |
| A CONCEPT OF REGIONAL RESEARCH IN AGRICULTURAL ECONOMICS | <i>Peter Nelson</i> | 101 |
| ORGANIZATION FOR REGIONAL RESEARCH | <i>John H. Southern</i> | 111 |
| POPULATION BRACKETS AS A MEANS OF CLASSIFICATION | <i>W. E. Benton</i> | 117 |
| HOUSING MARKET ANALYSES OF UNIVERSITY COMMUNITIES | <i>William S. Bonner</i> | 136 |
| BOOK REVIEWS | <i>H. Malcolm Macdonald, Editor</i> | 141 |
| NEWS NOTES | | 165 |

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Arkansas Rice Lands

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Mention rice to most Americans and they recall pictures from elementary text books of rice paddies in the Orient tended by natives using the most primitive methods of agriculture supplemented by water buffalo. Mention rice to the residents of the Wonder State and their reaction is very different.

A visit to the rice lands of Arkansas during the growing season reveals scenes of great beauty. The mid-summer sun beats down upon lush, green paddies. Wildflowers grow in the fence corners and along levees which are built in zig-zag patterns to hold irrigation water in the fields. Comfortable homes of rice-growers are surrounded by well-kept lawns. Sleek horses and cows graze in the pastures, and flocks of young chickens and a few well-fed hogs are in the barn lots. Occasionally, an airplane occupies a place of honor on the ground beside a hanger with a gleaming roof. The only discordant note in an otherwise attractive picture is caused by the swarms of mosquitoes which rise from the fields and pursue the intruder who invades their water-soaked habitat.

By far the greatest amount of rice produced in Arkansas is grown in the Grand Prairie Region in the eastern part of the state. This area is described as, "an upland plain of the Mississippi Valley part of the Gulf Coastal Plain."¹ It comprises seventeen counties, but rice culture is centered in Arkansas, Prairie, Lonoke, and Monroe counties. This is a strip of country approximately 75 miles long by 45 miles wide and is in one of the most prosperous agricultural regions of the state.

Climatic conditions in the Grand Prairie Region are very favorable for rice culture. Rice requires warm weather and a growing season of about 216 days. The mean annual temperature in this area is 62.5° F. and usually frost does not occur before November 9. Sunny skies are an

¹Kyle Engler and Others, "Ground Water Supplies for Rice Irrigation in the Grand Prairie Region, Arkansas," University of Arkansas College of Agriculture Station. *Bulletin No. 457*, (June, 1942) p. 5.

additional aid during the growing period. The average yearly rainfall is about 50 inches, of which 30 inches can be counted on during the growing season. The additional eighteen to twenty inches needed to produce the crop must be supplied by irrigation.

Ground water for irrigation comes from two different geologic formations. A small amount is obtained from the Tertiary beds which underlie this area at a depth of 400 to 1000 feet, but a greater amount of water is at present obtained from the sands and gravel of Quaternary beds which are found from 30 to 250 feet underground.² Surface water from the neighboring streams and lakes may also be diverted for irrigation purposes.

Rice does well on thin acid soils which have an impervious hardpan. The cultivation of rice is also favored by the gentle undulating surface of the prairie land.

The agricultural possibilities of this region were first shown to the white pioneers by the Quapaw Indians some 150 years ago. The Indians also prized the Grand Prairie as a hunting ground. Here they chased the buffalo that grazed on native grasses. Before the coming of the European this was a favorite duck hunting area. The Quapaws tied stuffed ducks on their heads, submerged themselves as deeply as possible in flooded areas, and when the ducks flew down to fraternize with the decoys, the Indians grabbed them by their feet.³

Today the Grand Prairie is still a favored hunting ground. In this "sportsman's paradise" the lakes and reservoirs abound with crappie and bass. So called deep-sea fishing provides great sport for fishermen who enjoy the vicious fight put up by the White River Gar that weigh up to 200 pounds.

As soon as cold weather begins in the North great flocks of ducks and geese seek good feeding grounds and resting places in the rice fields and lakes of the Grand Prairie region. From all over the United States hunters, both men and women, gather in Stuttgart, the rice capital of Arkansas. They come to enjoy the hunting and to participate in the annual national duck calling contest.⁴

The early French and American settlers in the Grand Prairie tried growing rice, but cotton was their first love. Not until King Cotton had exhausted much of the soil was rice again grown in 1904.

And what of the men who now grow rice in Arkansas? From where did they come and what are their problems?

²*Ibid.* p. 19.

³*Arkansas Gazette*, (Little Rock), Oct. 19, 1945, p. 5.

⁴Chamber of Commerce Bulletin. Stuttgart, Arkansas, pp. 8-9.

The romance of rice growing in the territory of Grand Prairie in Arkansas county has wooed and won from other parts of the nation men who heard the call of the rice fields and hurried down—to invest in a farm.

Some hang desperately on to their investments, but many go back to their original haunts, sadder but wiser and determined to stick to a business less temperamental and more lucrative than farming. They seem happy enough to leave the rice industry to that faithful species of gambler known as the incurable rice farmer.⁶

In writing of the Arkansas rice farmers, Walter M. Kollmorgen says:

Shortly before the turn of the century it was learned that these prairie lands underlain by a hardpan were well-suited for the production of rice. It was also learned that this cereal could be produced most economically with large machinery; consequently, the real estate men directed their land-selling efforts to the machine farmers of the Middle West. A typical answer to questions regarding the source of the rice farmers was: "We wanted men that could handle machinery, not Negroes." Hundreds were brought South and many of them bought. The farmer of the Middle West could by selling his holdings, command a substantial amount of cash. This made him an attractive customer. The fact that land in the South was cheap in comparison with the Middle West was interpreted to the benefit of the prospective customer.

Some of the rice-growing sections are settled by solid blocks of Middle Westerners who have reproduced in the deep south a cultural landscape typical to the Middle West. They live in large, well-constructed, painted houses. They usually have substantial barns and other sheds, well-constructed, and usually painted. Their lands are fenced. Much machinery is found on their places and many of them keep a good deal of stock. Islands of Bohemians and Germans were found, but their homesteads and farming practices are not distinguishable from those of other Middle Westerners (the latter of course represent a mixture of these and other cultural groups).⁷

For years Arkansas rice farmers tended to practice a one-crop system of agriculture. Twenty-six per cent of the farmers in this locality in 1927 had no other crop except rice. Cash receipts on an average rice farm for that year were as follows: \$7,323 from rice, \$84 from other crops, \$135 from livestock, \$46 from other sources.⁷

According to 1947 figures the average rice farm in Arkansas today covers 420 acres, of which only 120 acres are in rice and the balance is in rotation crops of legumes and feeds. The average rice farmer feeds from ten to forty head of cattle.⁸

Work begins in the rice fields in the early spring when huge tractor-powered plows and discs are used to loosen and pulverize the soil. After

⁶*Arkansas Gazette*, (Little Rock) May 20, 1945, p. 9.

⁷Walter M. Kollmorgen, "A Reconnaissance of Some Cultural Agricultural Islands in the South," *Economic Geography* (Oct. 1941), pp. 425-426.

⁸Dan T. Gray and C. C. Randall "Types of Farming in Arkansas" *University of Arkansas Extension Circular*, No. 351 (June 1936) p. 71.

⁹Oliver F. Fink, "American Rice," *St. Louis Post Dispatch*, Magazine Section (Oct. 19, 1947), pp. 6-7.

the soil is thoroughly prepared the levees, or dikes, are built. Around the outer edges of the fields higher dikes, several feet thick, are constructed to hold water on the fields and to prevent seepage.

The wise rice farmer avoids extremely early seeding. He waits until the average daily temperature is up to 70° F. which usually occurs during the early part of May. He chooses his seed from one of the medium grain or long-grain varieties. Treated seed is recommended and it is especially important for early seeding. First crops of rice on virgin soil are frequently infected with blast and treated seed is usually used on such land. Many growers plant two or three varieties that mature at different times because in this way they can distribute the harvesting season over a period of from four to six weeks. Also, the earlier crop can be marketed and the money used to finance the harvest of the later varieties.

The College of Agriculture at the University of Arkansas in a 1948 report does not recommend any one variety of rice as being best for all conditions. Factors listed in seed selection are: 1) Fertility of the soil; 2) Seeding date; 3) Possibility of disease; 4) Probable market demands; 5) Personal preference of the farmer; 6) Harvest method to be used.⁹

The rice farmer uses a sower, or he may broadcast the seeds from an airplane. Although many still prefer the more terrestrial type of machinery the airplane is increasing in favor, and is fast becoming a part of the permanent equipment on rice farms. The problem in seed-sowing is to get a uniform distribution of seeds over the field, and this problem is more acute when planes are used, although the speed with which the seed can be dispersed from a plane may compensate for some spotty distribution.

Experiments on farm experimental stations have found that sowing seed on flooded ground seems to result in larger yields. However, many farmers prefer sowing the seed before flooding and this, too, gives good results.¹⁰

A few days after sowing the small rice plants begin to appear. They resemble small, green sprigs of grass, and in about three weeks the paddies are a solid mass of bright green. The first irrigation occurs when the plants are four to six inches tall, and this first flooding is kept on the fields for a period of three weeks. The fields are then drained and the ground is allowed to dry until firm and cracked to destroy insects. Then the second irrigation occurs and from this time on, until eight to twelve days before harvest, water is constantly kept on the crop.

From 1904 to 1943 the customary method of harvesting rice in Arkansas was to cut the grain with a binder and set up the shocks to cure in the

⁹C. Roy Adair and E. M. Cralley, "Rice Yield Tests," Agricultural Experiment Station, *Report No. 9* (March, 1948), pp. 9-10.

¹⁰Martin Nelson, "Rotation, Cultural, and Irrigation Practices Affecting Rice Production," Agricultural Experiment Station, *Bulletin No. 445* (June, 1944), pp. 19-20.

field. Later the bundles were taken to the thresher where the grains were separated from the straw. Stimulated by the second world war, Arkansas growers in 1943 started using combines. This method has reduced labor and increased the certainty of getting the crop harvested and moved out of the field.¹¹ The grain is hauled by trucks to the drier. In the Grand Prairie some growers own their own driers. Others patronize driers owned by corporations, while an increasing number haul their rice to driers which are cooperatively owned. The largest cooperative rice plant in the world does a thriving business at Stuttgart.

Rice must be rushed to the drier because it cannot be stored more than twenty-four hours without the kernels becoming discolored so deeply that the finished product remains brown. During the drying operation heat is forced through the rice grains to carry off excess moisture. A single drying operation would cause rice to dry out at an uneven rate resulting in broken kernels. Therefore rice is subjected to a second, and perhaps a third drying period in order to reduce the moisture content sufficiently, although new machinery in the future may do the drying process in one operation.

After drying is completed rice can be stored indefinitely, avoiding the necessity of unloading it on a glutted market. Brown rice has greater food value but lacks the keeping qualities of white rice. The material removed in the polishing process is rich in vitamin C, but the oil in it becomes rancid if it is left on.¹²

Growing rice is hard work and like all other types of farming has its problems. While rice is one of the safest crops and is susceptible to few diseases,¹³ there are some that attack the rice plants. The most common of these are stem rot, narrow brown leaf spot, white tip, blast, and black sheath. In recent years dusting the fields by plane has been used more or less effectively although neighboring cotton farmers object because if the substance used blows over a cotton field, it tends to make cotton "grow itself to death."

Losses in combining vary from 1.4 to 11.6 bushels per acre. This loss is attributed more to untrained combine operators than to the machinery itself.¹⁴

¹¹Hzin McNeal, A Preliminary Report, "Rice Losses During Combining," Agricultural Experiment Station, Department of Agricultural Engineering, *Report Series 10* (Aug., 1948), p. 1.

¹²Oliver F. Fink, "American Rice," *St. Louis Post Dispatch*, Magazine Section (Oct. 19, 1947) pp. 6-7.

¹³*Ibid.*

¹⁴Hzin McNeal, "Rice Losses During Combining," Agricultural Experiment Station University of Arkansas, *Report Series 10* (Aug. 1948), p. 1.

Soil deterioration and decreased yields forced crop rotation on the rice farmer. Rice is rotated with lespediza, vetch, soy beans, and field peas. These are frequently plowed under as green manure crops. Rice is also rotated with cotton and corn. Rotation adds nitrogen and organic matter to the soil and improves the quality of the rice. It spreads labor throughout the year and permits a more economical utilization of machinery and equipment.¹⁵

The investment of capital in large machinery and its upkeep is great, and the cost of labor is high. Shortage of labor has also been a worry of late years. One grower reported he covered fifty miles per day to pick up and deliver hands to his rice fields during a harvest season.¹⁶ Sometimes the labor shortage is so pronounced that girls work as truck drivers.

A shortage of box cars is frequently a handicap affecting both farmers and retailers.¹⁷

All of these however, are minor compared to the great problem which for some time has been looming on the horizon.

Water levels under the Grand Prairie which formerly were 25 to 40 feet, have receded to 75 to 100 feet and this lowering is greater each season.¹⁸ Underground water tends to flow toward a pumping well and tapping the underground supply in one section is soon reflected in neighboring areas. Of course large quantities of ground water have been and will continue to be replaced by percolation, but the fact remains that the consumption of water from the Quaternary beds annually exceeds the quantity added each year by rainfall.¹⁹

The use of water from deep-lying tertiary beds has been suggested as a possible alternative as well as the substitution of other crops for rice. Impounding of water in small reservoirs within the region is another means of alleviating the problem. One reservoir near Stuttgart is thirteen miles long and holds 20,000 acre-feet of water, or enough to irrigate approximately 8,000 acres of rice.

Impounding surface water has decided advantages. Growers can get water more quickly from reservoirs. Fields can be drained, diseases killed, and fields reflooded without losing any of the crop. Because surface water is warm it has an advantage over well water which is sometimes very

¹⁵*Riceland News*, (Stuttgart, Arkansas), (Apr. 1947), p. 3.

¹⁶*Arkansas Gazette*, May 20, 1945, p. 9.

¹⁷*Ibid.*

¹⁸*Arkansas Democrat*, (Little Rock) Magazine Section, Nov. 26, 1944, p. 4.

¹⁹U. R. Harlacher and Others, "Ground Water Supplies for Rice Irrigation in the Grand Prairie Region, Arkansas," University of Arkansas College of Agriculture Station, *Bulletin No. 457* (June 1942), p. 48.

cold and may be highly mineralized. Using surface water reduces the power bill one-tenth for the grower, and it has been estimated that ten more bushels of better quality rice can be produced to the acre.²⁰ The electric bill for one year's pumping on an average-sized rice farm is approximately \$1,000.²¹

This lowering water table is no longer a grim ghost of the future. It is the most alarming problem facing Arkansas rice lands today. Upon its solution largely hinges the future of rice farming in this area. Whether rice becomes the queen crop and the rival of King Cotton in Arkansas may depend upon whether this difficulty can be overcome.

Rice production in the State and in the United States has reached an all-time high. In 1948 Arkansas increased its pre-war level of 8,000,000 bushels to 19,000,000. Considering the proportion of land used, in 1942 the state had 268,000 acres planted in rice and the value of the crop was \$20,215,000.²² In 1947 the figure had jumped to a total acreage of 352,000 acres and the value of the crop to the state was approximately \$40,000,000. Yet present indications are that there will be approximately a twenty-five per cent cut in rice production over the entire country.²³

Rice has been caught between a price-cost squeeze. Fuel and labor went up in 1948 while rice prices fell eighteen per cent below 1947 levels. Equipment costs have also reached new highs for 1949. Indications are that rice production will be re-established in war-torn countries thereby cutting the demand for our exports. The Agricultural Act of 1948 may support the crop during the adjustment period. The Act contains provision for support prices at 90% of parity through 1949.

In 1947 the rice crop for the entire world was 6,950,000,000 bushels which placed it well in the lead as the top cereal. Of this tremendous output our country's 77,000,000 bushels²⁴ appeared as a mere drop in the bucket, or a scant one per cent.

The average consumption of rice per person in the Orient may run over a pound a day; while the people in the United States eat on an average only five pounds per year.²⁵ Increased knowledge of the food value of rice through an extensive program of education and advertising may raise our national consumption and be the means of increasing rice production in Arkansas.

²⁰*Arkansas Democrat*, op. cit.

²¹John French, Stuttgart (Interview.)

²²*Log Cabin Democrat*, (Conway, Arkansas), Jan. 4, 1949, p. 3.

²³*Arkansas Democrat*, Feb. 21, 1949, p. 10 b.

²⁴Frank J. Taylor, "Revolution in Rice," *Collier's*, (Jan. 10, 1948), p. 59.

²⁵*Ibid.*

As a specialized commercial crop, rice in Arkansas feels the effect of conditions quite beyond the control of farmers in this local area. Spurred on during World War II by dwindling production in the rice-eating countries of the world the crop in Arkansas has reached an all-time record. During the war it was thought Oriental rice regions would be out of the production period for years to come. However, at the present time these same Asiatic customers of ours are turning from ways of war to peace-time agriculture. Future shipments from the United States will depend upon how long it takes these countries to swing back into normal production.

As demands for our rice in the Orient slump will we be able to open up new foreign markets for our surplus? If so where? Or can we hope to increase the demand for rice within the bounds of the United States?

Upon favorable answers to these questions depend not only the fortunes of our rice growers, but also the survival of this unique little region in Grand Prairie, Arkansas.

A Concept of Regional Research in Agricultural Economics

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Two general questions concerning regional research need to be answered at this time. These are: (a) What is a workable concept of regional research? (b) What basis is there for such research? Some little thought leads me to conclude that the answer to the first question must be sought with the aid of location theory. The answer to the second question is conditioned by the extent to which regional problems differ from those that may be termed non-regional and strictly local problems.

What Constitutes a Region

Perhaps a logical first step in getting at this problem is to inquire, what is a region? The answer to this question appears to depend somewhat on the point of view. Two types of regions will be considered, namely, competitive regions and administrative regions. That general area in which there is a sufficient uniformity in the expression of natural and artificial factors to cause uniformity in the production pattern of one or more products of sufficient competitive magnitude to be a regular factor in determining market price may be called an economic or competitive region. Such a region may be large or small depending upon the size of the market. O. E. Baker's agricultural regions and the type-of-farming areas outlined in recent years are closely akin to these regions, yet it would appear possible for several regions to be found in one type-of-farming area and equally possible under certain conditions for a particular region to include a number of type-of-farming areas. This region also will be found to expand or contract with economic developments of major importance. Obviously, the concept here developed is one having its origin in von Thunen's theory of economic location, the principle of which is so simply and clearly set forth in his "Isolated State."

However, geographic outline of the region will vary with the nature of the study to be made. Thus, it will likely be one thing in a farm management study and wholly another in a study of marketing, and still a third in a study of land use in the same general geographic location. The reasons seem fairly obvious. In a study of marketing problems, the prevalent tendency has been to consider individual products for reasons among which are wider demand for one product than for another in the same markets, differential custom and climatic requirements, and the like. In the study of marketing problems, farmers largely lose their identity as individuals and consumers seem to wield a more dominant role as a factor of study. In farm management, on the other hand, the farmer as an individual entity becomes the more dominant consideration and the consumer

remains, for the most part, a sort of vague composite of demand. In the latter case, the problem becomes more one of matching the individual farmer's problems of competition in one area with those in another to decide the relative kind and magnitude of enterprises in the respective farm organizations. The land economist, attempting to discover rational alternative uses of land would find it necessary to include an entirely different regional unit structure than either marketing or farm management.

Thus it appears that the term region in the economic sense must remain a relative as well as dynamic concept, the metes and bounds of which vary with economic developments and with the nature of the problem to be studied.

The administrative region, on the other hand, which for purposes of this discussion cannot be overlooked, involves sections, counties, states, nations, and the like which constitute regions by decree. These may have some characteristics similar to those of economic regions. Yet, on the whole, though some advantages in conducting research may accrue from several states working on a common problem, such cooperative research may not be essentially different from that which might be done by anyone of the single states. Any kind of research, regional or non-regional, might be done, for example, in a state. Since, however, the state wields the administrative whip, no regional research can or will be done except within the framework of administrative decree.

Clarification and Development of Regional Concepts

These somewhat nebulous things just described as regions provide the basis for perceiving the fundamental differences between true regional research and non-regional research sometimes performed on a regional basis. The unit for investigation in the two are essentially different. In regional research, the unit is the competitive area having some sort of geographic dimensions; while non-regional research need not have geographic boundaries and may be thought of as tweezers and test-tube research. Basic to constructive investigation, I believe, is a general comprehension of the unit to be investigated and its relationship to other similar units in a dynamic setting. This statement holds for both non-regional and regional research, at least so far as concerns economics.

To illustrate further this matter of the difference in unit with a trite example, a diagnosis of the individual trees likely will never reveal the pattern of the forest. It is only when the investigator is able and willing to view his universe in its broader patch-work of regional patterns that he is able to isolate the operating units in their dynamic settings.

This is not a new idea. Thunen used this pattern unit concept in trying to determine what his farm, the estate "Tellow," would change to if located at various points in his "Isolated State."¹ Unfortunately, the idea

¹Ely and Wehrwein, *Land Economics*, Chapter 3.

was obscured for many years by the excellent work of some physical scientists, who through lack of perspective or prejudice or both, failed to see the limitations of their own very valuable discoveries and, with a disposition as well as power to dominate the field of scientific agriculture, read into their results meanings which misled the farming public and perhaps retarded constructive economic research in agriculture for nearly three quarters of a century.²

Then Aereboe, a practical farm manager as well as scientist, revived the dynamic unit concept, borrowing ideas from biological methods of investigation because he had concluded that the anatomical or cost methods of dissection in farm economics kills the farm for the purpose of real study of farm efficiency.

Development of the Concept in the United States

The concept does not seem to have appeared to be very clear to investigators in this country until very recent times—mainly, perhaps, because early researchers in agricultural economics in this country entered the field, for the most part, from the physical and biological sciences. It is true, of course, that a few individuals with a breadth of training and experience in the economic field saw the problems of agriculture as touching areas outside the fence lines of the farm and the test-tubes of the chemical laboratory. Not many of these need to claim our attention here, but one who pioneered in that direction was Dr. H. C. Taylor. His analysis of "The New Farm Economics" just prior to Farm Board days is enlightening. In this analysis he shows that with all the attention to efficiency of production, the farmer has been left out of consideration. He says: "Our agricultural policy is and has for some time been against the best interests of the farmers. Our national policy as expressed in the action of Congress and expressed by many of our national leaders, points to cheap food and cheap raw materials as the goal of agriculture. The welfare of the farmer is overlooked. Uncle Sam has come to view his farmers as the farmer views his cows."

Taylor thinks this struggle to increase efficiency without at the same time increasing the farmer's share of the national income is the result of well-meant but misguided effort, and lack of understanding of agriculture's problems. For he adds: "In stating that our agricultural policies are against the farmers, it is not to be inferred that this situation is considered to be the result of deliberate planning to injure the farmers. Our

²Liebig, Justus von, "Chemistry in Its Application to Agriculture and Physiology," Wiley and Putnam, 1847, said in the preface: "Now under the conditions which render the soil productive and capable of affording support to plants, are ascertained, it cannot well be denied that from chemistry alone further progress in agriculture is to be expected." He is reported to have a certain impetuousness of character which disposed him to rush into controversy.

agricultural policies have been developed piece-meal and in rather hap-hazard fashion, usually without regard to their long-run economic and social effects upon the farmers. It is to be inferred, however, that these policies have pointed definitely toward the securing of cheap food and raw material and that farmer welfare has been overlooked.

"The present situation has to some extent also grown out of the fact that much of our present body of agricultural policies has been developed by technicians who have studied agricultural problems as chemists, biologists, and engineers. Approached from this point of view, it was but natural that the first attempt to improve the condition of the farmer was by the simple process of teaching him 'efficiency'—'how to grow two blades of grass where but one grew before'."

Before concluding his article he states further: "The farm economist has the problem of occupational distribution of wealth thrust upon him at this time. Will he continue to think in terms of internal agricultural economics when external agricultural economics is determining to such a large extent the farmers' well-being?"³

The center of the new farm economics, he concludes, is balancing the limitation of competition. Then he lists seven areas of work that need consideration, all external to the farm and of regional and national scope.

Recognition of the fact that some experiment station directors began to see the problems of agriculture in broader perspective should be made also. They, above other leaders by reason of their overall contacts with research, should be stimulated to see agricultural problems in the broader light. Most directors seem, however, to prefer that their opinions be expressed orally rather than in writing. Therefore, there is not too much recorded director experience to draw upon. One director was brave enough, however, to put his views concerning research in general and economic research in particular on record. His very pertinent comments leave us wishing others had done likewise. He points out three needs of agricultural research, namely, clarification of viewpoint, closer coordination of effort, and greater mobility in the research force.⁴ Without attempting to summarize the full meaning of his paper, a few of his statements will be used to show the evolution of thinking on research. He says:

Agricultural research during the last fifty years, productive as it has been of valuable information, has presented, nevertheless, a miscellany of ideals modified through the years by various motives which have arisen from causes commonly recognized.

³Taylor, H. C. "The New Farm Economics," *Journal of Farm Economics*, Vol. 11 No. 3, July 1929 pp. 357-367.

⁴Cardon, P. V. "Relating Research in Agricultural Economics to Other Fields of Agricultural Science." *Journal of Farm Economics*, Vol. 16, No. 2 Apr. 1934, pp. 189-199. See also *Journal of Farm Economics*, Vol. 13, No. 4 Oct. 1931 on closely related subject.

Chief among these, perhaps, has been the rapid expansion of this type of research, induced by national policies which, themselves lacking complete clarity of purpose, have failed to give definite direction to the research they have fostered. Project objectives usually have been defined by the specialized interests of individual researchers, or by those of the director of research who, in numerous instances, nurtured a specialized interest in science long before he assumed the multifarious duties of director. Consequently, there has persisted a lack of coordination of these objectives, and this lack has engendered confusion of viewpoints. This confusion, in turn, has made quite impossible the conduct of research in full confidence that it served in the highest possible degree not only the farmer but agriculture as a whole and society at large.

Again, he says:

There is no evidence at hand to show that a consistent effort has been made thus far in agricultural research to distinguish individual from group and social welfare, in either the planning or the prosecution of that research. It is probably not far from the truth to say that, for the most part, projects have been planned and carried through to the publication of results with serious thought being devoted chiefly to the limited objectives and the methods of procedure peculiar to the respective projects; and to the analysis and interpretation of the data recorded, almost as if each project enjoyed detached completeness.

Dr. F. F. Elliott⁶ at about the same time stated that research needed to be re-examined from four points of view: (1) viewpoint and perspective, (2) content and coordination, (3) method and (4) personnel. Then among others he made the following statements pertinent to this discussion: "The primary aim of such a program (content and coordination)—should be (1) to meet the fundamental economic problems affecting the agriculture of an area, region or of the nation as a whole and (2) to yield information which will be basic to the formulation of policy thereto."

Concerning methods he states that: "If we are disposed to accept Karl Pearson's statement that 'Science justifies itself in its methods quite apart from any serviceable knowledge it may convey,' then method must be taken as representing a factor of considerable significance."

Concerning personnel he comments thus: "Director Cardon has discussed the need for greater mobility in the research personnel. One means of accomplishing this is to promote specialization as to subject matter but not as to project. This recognizes that a research man's education is a continuing thing and his services should be used to broaden continually his viewpoint and perspective."

The reader will be, of course, familiar with the famous nation-wide project of 1935 which was designed to prepare a balance sheet for agriculture in each of the forty-eight states and summarized into one for the nation for the sum of \$200,000.00. Those of us from the southern states met at Atlanta, Georgia, to report our findings in September that year. Except for the annual outlook that had been published each year for a

⁶Elliott, F. F. "Research in Agricultural Economics," *Journal of Farm Economics*, Vol. 16, No. 2 pp. 214-218.

decade or more and the reports of Dr. L. C. Gray and others published in the 1923 U.S.D.A. Yearbook of Agriculture, this was the first major effort of a regional nature that I am aware of. This project had the value of stimulating a lasting interest in regional research, of softening the professional jealousies between specialists, and of stimulating a degree of inter-departmental cooperation.

Regional Research—The Concept

Now that developments show agricultural science has begun to emerge from the tweezers and test-tube era, what may be regarded as a workable concept of regional research? The foundation upon which to attempt to build the answer to this question includes the two types of regions previously discussed and recognition of the fact that they both are essential. In addition, certain corollaries among which are (1) synthetic perspective, (2) understanding and effective use of content, (3) method, and (4) research personnel need consideration.

Synthetic Perspective. To me it seems fundamental that regional research must subordinate analytical dissection to synthesis. In fact, the discovery of the means of balancing the regional economy into the most effective utilization of the available resources in an operating unit should be its primary function.

The Understanding and Effective Use of Research Content. The understanding and effective use of content is, of course, closely related to synthesis. Much of regional research must of necessity make lavish use of secondary data from various sources. In fact, one of the best uses that can be made of non-regional research may be found to be as a supplement to regional research.

Method. The methods to be used in regional research are more difficult to set forth because of lack of precedent. The methods used thus far in regional research have little to recommend them beyond the methods used in non-regional research. As a usual practice, in a larger area the common feeling seems to be that more statistics are needed. I believe, however, an appraisal of our methods by a foreigner should be helpful at this point. I quote the following from an article by Sigmund von Frauendorfer:

A characteristic of the American research activity is respect for the accomplished fact and a predilection for its expression by means of figures. The American cannot easily be surpassed in untiring accumulation of data and in their skillful, clear presentation. That is shown particularly in the surveys and cost of production studies of the earlier days, which often carried too far the zeal for descriptive statistical material and neglected the solution of the question of causes.

The American, on the other hand, does little deductive work. There is not one of the agricultural economic works that can be compared in any way with Aereboe's *Betriebslehre*. That is no depreciation of analogous American works. It only directs attention to the difference in the intellectual attitude; on the German side an intuitive grasp of truth and never-failing sense for systematic arrangement; on the

American side a collection of constructive details, all keenly observed and well described, which nevertheless, does not present a very convincing picture.*

It is not to be inferred that the American should switch from the American to the German method, but it is inferred that the American might, in a manner, mix the American with the German and come out with a fuller and much improved method. My judgment is that regional research requires the work of what might be called the philosophical scientist in contrast with the requirement of the technical scientist in non-regional research.

Research Personnel. In the article by Cardon previously referred to, he expresses a need for greater mobility of research personnel. Elliott indicates how this may be achieved. He sees the manner of achievement as recognition of the fact that "a research man's education is a continuing thing and his services should be used to broaden continually his viewpoint and perspective."⁷

It seems to me regional research training should be essentially broad in its specialization. My feeling is that in much of our instruction in agriculture, there is over-departmentalizing to the extent that many of the graduates are more comparable with technicians in the sense of auto mechanics than in the sense of researchers and educators.

Another problem that will be difficult to overcome in regional research is the fear and distrust specialists seem to have for one another. Commodity specialists seem especially to feel that the economist is an unscientific intruder, and that no one can possibly know his squash like the squash department.⁸ These barriers must be broken down before regional research can succeed. The economist must learn to rely upon the commodity man for squash knowledge, and by the same token the squash man must cease making unwarranted evaluations concerning his specialty crop. No one, for example, has a right to tell a farmer how well a minor crop will pay until he has studied it in relation to the economy of the farm as a whole.

Regional Research Experience. In an effort to discover, at least in part, how regional research has progressed, several regional project outlines and the minutes of regional research committee meetings were examined for enlightenment on the subject. This examination seems to warrant the tentative conclusion that until the present time, the regions set up have been determined more on the basis of administrative convenience than economic location.

*Fraendorfer, Sigmund von, "Development and Results of Agricultural Economic Research in the U. S.," *Journal of Farm Economics*, July 1928. pp. 286-311.

⁷*Journal of Farm Economics*, April 1934. p. 218.

⁸Cardon, P. V. "The Relation of Economic Research to Other Research in the State," *Journal of Farm Economics*, Vol. 13, No. 4 October 1931, pp. 612-620.

Some few projects are partial exceptions especially in the older regional set-ups. A report of the North Central Regional Livestock Marketing Committee is of some interest in this connection. It suggests that the administrative region which is the North Central has as its function the conduct of a long-time program of research. Thus the investigations are conceived of as part of an overall integrated field. "Individual projects should follow in related and logical sequence, so that when one project is completed the Regional Committee will be ready to start work on the next one. In this way, there will be sufficient *continuity* and *coherence* so that progress on a wide front and an entire field is covered."

The North Central Land Tenure Committee has stated a similar aim and then hastened to deviate from it, but with a recently avowed change of heart favoring return to the original aim. But the deviation, which was to shift from original research to the preparation of short reports based on past research, may prove to be their most useful orientation effort and suggests a line of work that other regions might well consider as a preliminary to the preparation of a program.

The Southwest Land Tenure Committee did much the same as the North Central Committee in the initial organization work. That is, outline a program of work and outline objectives in committee meetings by "philosophers of the chair". This Committee then secured a grant of funds with which to conduct research. Following that, a regional staff with a director was hired. Project refinement continued, however, to be done in committee meetings, on the assumption that members of committees and subcommittees were conversant with the land tenure problems needing study. Results of the study, valuable though they definitely are, may indicate that such egotism on the part of researchers should be avoided in future studies. This Committee also undertook the preparation of some short reports based on past research within the region. The hope was thereby to encourage a broader over-all perspective on land tenure problems in the region as well as clarify the thinking of the Committee. A recent effort of this kind has thus far proved abortive.

The area included in the Southwest Land Tenure Research region, in my opinion, constitutes a wieldy regional unit with many problems common to two, three, or all the states of the region. I seriously doubt, however, that the past work of this or any other region studied furnishes the answer to the question, "What is a workable concept of regional research?" Projects under the Research and Marketing Act seem to show greater confusion of viewpoint than the others here cited.

A Master's Thesis on an Irish potato marketing problem, a problem to a great extent limited to the Southwest, has been selected to illustrate a workable concept of regional research. It was chosen not so much be-

cause the white or Irish potato crop is especially important in the region commercially but because it furnishes what seems to be a workable illustration.*

In this region white potatoes represent a minor commercial crop in Southern Louisiana, Southern Mississippi, Southeastern Texas, East Central Oklahoma, and West Central Arkansas. In Louisiana, Mississippi and Texas the crop is sold between about the first of May and mid-June. In Arkansas and Oklahoma the crop is sold largely during the month of June. California, North Carolina, and Virginia are direct seasonal competitors of Oklahoma and Arkansas. The major markets on which the potatoes are sold are Kansas City, St. Louis, and Chicago.

What are the problems? I don't know. How could the answer be found? Again I don't know, but I believe, as a first step, it would require the work of about two master minds thoroughly trained, especially on in marketing and the other in farm management, with a budget and time sufficient to make a reconnaissance survey over the whole region including the markets during the period of at least one complete season. In addition to their specialized training, they should both possess some sociological, business administration, agronomic, horticultural, and animal industry sense in addition to direct cooperative assistance in those specialties in order that the general aspects as well as some specific aspects may be understood.

These men should be able to set up a workable general project outline and appropriate sub-projects after the initial survey is completed.

A Basis for Regional Research

Much of the basis for regional research is inherent in what has been said. That is to say, if it is necessary to know how an economic region functions and how to improve operations of this region, it follows as a truism that the region must be studied as a unit. If the economic region straddles the boundaries of two or more states, then a new administrative region comes into being. Also, if the two concepts of a region heretofore described are correct, it appears necessary for the economic region to be studied within the framework of an administrative region.

I am indebted to Director Hawkins of Oklahoma for a brief summary of the reasons used by the Committee of Nine to determine eligibility of proposed regional projects for regional funds. This Committee recognizes:

1. Problems of a truly regional character which, in their thinking, probably compares rather closely with what has been described here as problems of economic regions, although that point was not made clear.

*Green, W. J. "Economics of Potato Production in Oklahoma," Unpublished Master's Thesis. Stillwater, 1931.

2. Problems in which evidence indicates an advantage to be gained from a work plan in which several states pool available research facilities.
3. Problems which lend themselves to a parcelling out process in which the various aspects of the work will be distributed among the participating states in a manner to minimize duplication.
4. Problems of a specialized character in which it is desirable because of specialized facilities and man power in some states and not in others to team up on problems on the basis of the specialized situations for maximum use of facilities.

On the basis of economic regions, it obviously is possible for one state under certain circumstances to handle a particular regional problem. Such a regional problem would, of course, not reach the Committee of Nine.

It would appear that many of the so-called regional projects differ in no important essentials, either as to method or content, from strictly non-regional research. The advantages to be gained from such regional effort may be offset in many cases by the disadvantages of the greater complication of regional administration and the necessary compromises incident to several workers on the same project. In the case of economic regions, however, it is the writer's opinion that they require regional treatment if their true character and operations are to be understood.

Organization for Regional Research

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That regional research in one form or another is here to stay there is no doubt. This approach to the problems that plague our agricultural economy has come about because of dire necessity—the necessity to obtain better answers to problems in a more efficient manner. In the past, individual states and federal agencies have pursued more or less separate paths in seeking answers to questions. Cooperation of states and agencies on specific problems promises great progress not only in arriving at better research results more efficiently, but at the same time in advancing methodology and research techniques. This is not to say that regional research, *per se*, is to be considered the panacea that the present bandwagon might indicate.

Initially, it must be granted that if there is to be regional research it necessarily follows that some form of organization is required to facilitate, or place in motion such research. In the long run, the success or failure of regional research will be assessed to a degree in terms of the success or failure of organizational patterns set up for accomplishing the job. It is here that the efficiency and best use of resources will be determined. Some may say that too much importance is being attached to a formally organized body. This is not so if it is realized that whatever the organizational arrangements are, they will circumscribe the area in which technicians must work. Therefore, it is important to consider the type of regional organization through which the process of regional research is to function. There is every reason to assume that the organizational experiences of those who have carried on regional research can be of monumental assistance to the many groups now attempting such research. Undoubtedly, from the many experiences in early efforts can come some that are adaptable to the activities of current committees on regional research.

How Regional Organizations Arise

To a degree the success of regional research will depend on the factors contributing to the growth of an organization. Hence, how regional organizations arise appears to be of some importance. A formal group may come into being merely because funds have been made available on a so-called regional basis. To obtain these funds some type, or form of

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associational arrangement is required. Or an organization may arise strictly from geographic considerations. That is, individuals with similar professional interests from adjacent states may associate themselves together in a research organization primarily because of their geographic location and nearness. Geographic contribution to organization has been important quite frequently in the history of cooperative research efforts.

Perhaps a more compelling reason for an organization is the felt need for more adequate research inquiry into particular problems of the agriculture of vast areas—problems of a nature that are not confined to one particular state. Surely the organized group that arises merely to expend funds which happen to be available has no initial incentive to do research on a cooperative basis. A truly cooperative approach may develop as a result of having these funds, but this is a product (a desirable one) and not a causative factor. The organization that arises due to geographic considerations appears to have more common ground for regional research than the “fund” organization. On the other hand, some committees based primarily on geographic factors have turned out to be rather incongruous and unwieldy, to say the least. Present regional research organizations are born of a combination of these influences. However, the greatest impetus to regional research in the last two years undoubtedly has been the availability of funds.

In discussing arrangements for regional research two organized groups are referred to in order to point out some history of regional research organization. These two groups are the New England Research Council, to which reference is only incidental, and the Southwestern Land Tenure Research Committee. Primarily, it is the latter group which is used as an example from which to draw some tentative conclusions relative to organization of a regional body for research inquiry.

In present efforts it should be remembered that regional research is not new. The first group referred to above, the New England Research Council, was organized in 1922 and apparently has functioned with a great deal of success since that date. This research council was formed for the express purpose of dealing with problems of inquiry on a broader than local or state basis. At the time of organization the incentive of additional money to promote the regional approach did not exist, and the geographic factor, though present, was of secondary importance. Each state and cooperative agency depended upon its own resources. They were driven to a cooperative approach by the motive of more and better research concerning a common problem that individual members could not solve relying solely upon their own efforts.

The Southwestern Land Tenure Research Committee

In the Southwest, experience in the formation and functioning of a regional research group began in 1940 with the organization of the

Southwestern Land Tenure Research Committee. Here, organization for research in problems of land tenure grew out of an association of professional workers in agricultural economics and rural sociology. These workers had been dealing with local or state problems of land tenure over a period of about two decades. In professional associations they had had an opportunity of meeting from time to time and discussing ideas and common questions of inquiry. The group gradually became conscious of the need for pooling experience and thinking in order to attack certain of the research problems of land tenure on a broader than state or local basis. It was recognized that the tenure systems of all the states involved were quite similar, with like problems and solutions. Thus the seed of regional organization was planted in the Southwest. This process was not without geographic implications. The workers of four adjacent states (Oklahoma, Texas, Arkansas, and Louisiana) had been associated in the Southwestern Social Science Association. On the basis of similarity of cotton production, a fifth state, Mississippi (also adjacent) was invited to participate in the organization.

Above it was pointed out that regional research must have a type of organization through which to function. While the process of inquiry followed in regional research is about the same as for any research (that is, good research procedure must be followed in any case) the regional approach differs to a great degree in one respect. In the Southwestern organization it was learned that the wishes of fellow researchers must be taken into account. There must be a meeting of minds, so to speak, as well as the mutual give and take which is characteristic of any cooperative undertaking. In those instances where a mutual understanding of a particular issue was never arrived at, this lack of understanding later arose as an obstacle to Committee activity. A formal organization is required to furnish this medium for a cooperative approach to the various problems on which research is to be done. Such a group functions in the field of human relationships. Out of these relationships come manageable project statements and work plans which finally result in better answers to questions. It appears that a regional organization should be depended upon to perform this function first of all.

The membership of a regional research group becomes a crucial factor in the organization and functioning of that group, especially the day to day operation of research. When first formed the Southwestern body included only individuals in administrative positions. At one time or another all members had been engaged in research in land tenure, and therefore, a great deal of experience in study and sound judgement on tenure problems was inherent in the Committee as organized. On the other hand, due to their administrative responsibilities the members were not in a favorable situation to adequately plan and give thorough techni-

cal guidance to a regional tenure study which had an original budget of approximately \$350,000.00.

It is at this point that a distinction should be made between an organization of technicians for research purposes and an organization primarily built around the administrative function. The former consists of representatives who are actively engaged in research activity, while the latter becomes more or less of an administrative entity, in and of itself. For proper functioning, a research group should concentrate on working mutually on the problem at hand, avoiding administration by leaving it to presently constituted agencies. Any regional research body organized primarily around administrative personnel in all likelihood will find itself spending a disproportionate amount of time and energy on administrative details rather than on research problems. There are two obvious reasons for such expectation. First, administrative personnel have administrative problems as their chief concern. Secondly, they are in no position to keep up with the day to day progress of a study, and therefore, have less knowledge of the problem than does the active researcher.

That the Southwestern Land Tenure Research Committee has profited from this experience is evident in its evolution. Gradually, an important place in committee work has been given the research technician, or those responsible for doing a job. To properly inspire those individuals who carry the burden of a study requires that they be allowed to participate in all phases of the activity from its inception to completion. The Committee, in its reorganization in 1948, recognized this fact, and, with a nucleus of administrators, added members actively engaged in research. It can be said that the two types of personnel, in proper proportion, complement each other. The administrators function to construct an efficient pattern to which technicians subsequently fit their activities in the day to day pursuit of problem answers.

Type of personnel on committees also may be related to the important factor of continuity in research. That is, in most studies the technician always must look forward beyond the immediate task. Current research will be the medium of revealing problems or questions yet unanswered. In this manner the technician builds on research experience. On the other hand, the administrator on a research committee because of his position, may be interested more in bringing one particular research task to a close. Again the two types of members complement each other.

Efficiency of regional research, generally with reference to a saving of funds, has been assumed more or less. The experiences of the Southwestern Committee may offer little encouragement to those attempting to save financial resources through such research. The research carried out on a regional basis appears in retrospect to have been cumbersome and perhaps expensive for the amount of recorded output. Certainly, much that was done could have been done more cheaply and more con-

veniently through individual research. On the other hand, this regional organization and the research efforts were experimental in nature with little precedent to follow. Also, expenditure of funds was related to the administrator type of membership on the Committee and to the fact that a regional office was established. Regional research was to function through this office. However, it duplicated some of the administrative staff found at the land-grant college departments and perhaps added materially to overhead costs of the total research activity. Current regional research organizations have escaped the establishment of the regional office, if not the excessive use of administrative personnel. Avoidance of regional facilities should be favorable toward a more careful use of funds for a research activity.

Efficiency in regional organizations for research must not be confined necessarily to the consideration of how funds are expended. Efficiency also includes the concept of doing a *better job*. Perhaps it is here where the regional approach holds great promise. The regional organization, if it provides the proper pattern for cooperative effort, will furnish an outlet where individuals can obtain careful and qualified assistance, as well as furnish such assistance to others. The Southwestern experience indicates that research results of better quality should flow through the development of a broader area of common understanding on the part of research technicians.

Other Comments

It is at the present stage of regional efforts that organizations for accomplishing research should begin self-examination. Or perhaps the process of self-examination should be continuous. The Southwestern Committee has begun such self-study through a thorough re-statement of its objectives and procedure, as well as reconstituting its membership. Perhaps one of the wisest expenditures of funds and time in current regional research would be a thorough inquiry aimed at answering the question, "On the basis of present experience, what is the best organizational arrangement for regional research?" Necessarily, such administrative research should not be delayed until organizational patterns have become too rigid and inflexible for modification. For example, it has been said that the multiplicity of committees, organized to facilitate studies under the Research and Marketing Act of 1946, should be reduced for effective operation.¹ Such needed changes must come early in organizational activities if past committee experiences are a criterion.

Any group actively engaged in regional research must remember that the manner in which it is organized, though important, is not a substitute

¹Renne, R. R., "Operation of the Research and Marketing Act of 1946: State and Federal Relations," *Journal of Farm Economics, Proceedings issue*, Vol. XXXI, No. 1, Part 2, Feb. 1949.

for well-planned and executed work projects. Neither can the type of organization guarantee a cooperative and supporting attitude on the part of cooperating personnel. This is especially true in those instances where individuals become part of an organization because of position, or merely to expend funds available only through regional effort.

Finally, an organization has, or should have as its primary objective, the seeking of solutions to problems rather than the administration of funds or personnel. Experiences of various types of committees in pursuing this primary objective should be a source of procedures which are adaptable to regional research undertakings. Only through knowing and accepting the favorable experiences of those groups with a regional research background, can current organizations avoid the complexities and frustrations that appear to be hampering their efforts.

Population Brackets as a Method of Classification

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A major constitutional development in the states since the early part of the Nineteenth Century has been the increase in the number of restrictions placed on state legislatures. These substantive and procedural limitations have indicated a lack of confidence in state law-making bodies. Important among these limitations are those which concern the passage of local, special, and private legislation.

Forty-two states have constitutional restrictions upon the power of the Legislature to pass local and special laws.¹ The restrictions in some of the state constitutions are very brief. For example, The Constitution of Arkansas provides merely that: "The General Assembly shall not pass any local or special act. This amendment shall not prohibit the repeal of local or special acts."² Most of the state constitutions, however, go into great detail regarding local or special legislation. The usual constitutional pattern is the provision that: "The Legislature shall not pass local or special laws (except as otherwise provided in the Constitution) in any of the following enumerated cases." Then follows a list of subjects which the Legislature is forbidden to cover with a special, private or local law.³ The Constitution of Wyoming enumerates thirty-six prohibited subjects,⁴ and the Texas Constitution contains twenty-nine subject-matter limita-

¹These states are: Ala., Ariz., Ark., Calif., Colo., Del., Fla., Ga., Idaho, Ill., Ind., Iowa, Kan., Ky., La., Md., Me., Mich., Minn., Miss., Mont., Mo., Neb., Nev., N. C., N. D., N. J., N. M., N. Y., Okla., Ore., Pa., S. C., S. D., Tenn., Tex., Utah, Va., Wash., W. Va., Wis., and Wyo. The types of constitutional restrictions against local and special legislation, as well as the general rules of construction are analyzed by Cloe and Marcus, "Special and Local Legislation," 24 Ky. L. J. 351 (1936). See also Carl N. Everstine, *Local Government: A Comparative Study*, Research Report No. 23, Research Division, Legislative Council of Maryland (Baltimore, Md., 1944), p. 7. For a much earlier study see Charles C. Binney, *Restrictions Upon Local and Special Legislation in State Constitutions* (Philadelphia, 1894).

²Constitution of Arkansas, Art. XXV, added by Amendment 14, adopted Oct. 5, 1926.

³F. J. Stimson has said: "The most concise classification . . . mounts up to one hundred and twenty matters upon which special legislation is forbidden, throughout the States and Territories." *The Law of the Federal and State Constitutions of The United States* (Boston, 1908), 293, fn. 9. Constitutional restrictions of this nature appeared about 1850. For example, The Constitutions of Indiana (1851), Art. IV, sec. 22, Minnesota (1857), Art. IV, sec. 33, Oregon (1859), Art. IV, Sec. 23, and Maryland (1864), Art. III, sec. 32, were among the first to contain such restrictions.

⁴Constitution of Wyoming, Art. III, Sec. 27.

tions.⁵ Besides these substantive restrictions, eight state constitutions require publication of any contemplated local or special bill in the locality where the matter or thing to be affected may be situated, prior to its introduction in the Legislature.⁶

The restrictions on the passage of local, special, and private laws resulted, in part, from the abuse of power by the state legislatures. The Legislature of Pennsylvania affords an extreme example of this abuse about the middle of the Nineteenth Century. Concerning it, one writer said:

The condition of affairs was partly due to the inferior character of some of the members of the Legislature and partly to the unscrupulous behavior of certain rich corporations which made a business of appealing to the cupidity of the more dishonest members for the purpose of obtaining legislation beneficial to their purposes. The usual method of conferring such benefits was the enactment of laws which are known as local or special laws It was for the avowed purpose of prohibiting local and special legislation that the convention of 1873 was convened.⁷

From 1866-1873 the Pennsylvania Legislature passed 475 general laws and 8,755 private acts. From 1866-1871 about 450 special acts relating to railroads alone were passed.⁸ Concerning such practice the Supreme Court of Pennsylvania declared in 1889 that:

During the session of the legislature immediately preceding the adoption of the present constitution, nearly one hundred and fifty local or special laws were enacted for the city of Philadelphia, more than one third that number for the city of Pittsburgh, and for other municipal divisions of the state, about the same proportion. This was by no means exceptional. The pernicious system of special legislation, practiced for many years before, had become so general and deep-rooted and the evils resulting therefrom so alarming, that the people of the Commonwealth determined to apply the only remedy that promised any hope of relief. Doubtless, it was a proper appreciation of the magnitude of these evils, as much as anything else, that called into existence the convention that framed the present constitution and induced its adoption by an overwhelming vote. . . .⁹

⁵*Constitution of Texas*, Art. III, Sec. 56.

⁶These states are: Ala., Fla., Ga., La., Mo., Okla., Pa., and Tex. This requirement does not mean much in Texas. Not over one per cent of all local and special bills introduced each session meets this requirement. The courts merely presume "in the absence of proof to the contrary, that the Constitution was complied with as to publication of notice of the intention to apply for the passage of the act in question." *Cravens v. State*, 122 S. W. 29, 31 (1909). See also *Moller v. City of Galveston*, 57 S. W. 1116, (1900).

⁷T. R. White, *Commentaries on the Constitution of Pennsylvania*, XXVI, as cited by Robert Luce, *Legislative Problems* (Boston, 1935), pp. 562-563.

⁸*Ibid.*, p. 563.

⁹*Ayars et al v. Westfield et al*, 122 Pa. 266, 277 (1889). The court had under consideration the constitutionality of the Act of May 24, 1887, entitled "An act dividing cities of this state into seven classes."

Popular reaction to this situation was reflected in the Pennsylvania Constitution of 1874 which carried a very detailed list of subjects which could not be covered by local or special law.¹⁰ Generally speaking, a similar development occurred in the other states.

Constitution framers believed that restrictions on the passage of local, special, and private bills would accomplish the following objectives: (1) prevent the granting of special privileges, (2) secure uniformity of law throughout the state as far as possible, (3) decrease the passage of "courtesy" bills, and (4) encourage the Legislature to employ more of its time, knowledge, and skill in passing laws which apply to the entire state.

These objectives, however, have not been realized. An examination of the laws passed each session by the various state legislatures indicates that the problem of special legislation still exists. For example, in the State of Maryland, it has been estimated that from "60% to 65% of all bills introduced and passed during a session are local and special in nature."¹¹ A study made in Alabama in 1944 reveals "that of the 7,591 laws passed by the Alabama State Legislature since the adoption of the Constitution of 1901, 3,045 [40 per cent] have been passed as local and private laws."¹² The Legislature of Georgia, before the new Constitution of 1945, found it necessary to submit constitutional amendments as a means of legislating on local, special, and private matters. In fact "In the six-year period between 1938 and 1943, the Georgia constitution was amended more than 160 times. Approximately three-fourths of all amendments applied to a specifically named locality."¹³ Thus, in spite of constitutional limitations, local and special laws continue to constitute a major part of the total legislative output in the various states.

The objectives mentioned previously have not been attained by the inclusion of constitutional restrictions on special or local legislation, because the legislatures have developed ingenious methods of classification to circumvent the organic law.¹⁴ In Texas, as well as in other states, the Legislature has used assessed tax valuation, area of local unit expressed in miles or acres, number of people per square mile, number of scholastics, votes cast at a previous election, population figures, and any number of

¹⁰Constitution of Pennsylvania (1874), Art. II, Sec. 7.

¹¹Everstine, *op. cit.*, p. 2.

¹²Hallie Farmer, *The Legislative Process in Alabama: Local and Private Legislation* (Bureau of Public Administration, University of Alabama, 1944), p. 18.

¹³The Council of State Governments, *State-Local Relations* (1946), p. 145, fn. 14, as compiled from annual publications of Governments Division, Bureau of The Census, Department of Commerce, *State Proposals Voted Upon*.

¹⁴Classification as used in this study means the grouping together of one or more local units for purposes of legislation. The classification may be natural and reasonable or arbitrary and capricious.

miscellaneous elements, as a basis of classification in order to legislate for local areas on matters prohibited by the State Constitution.

Bills using population figures as a basis of classification have become very popular in Texas during recent years. The following act represents one type of population bill considered by the Texas Legislature in 1945:

.... An Act to permit any county containing a population of not less than three thousand seven hundred and twenty (3,720) nor more than three thousand eight hundred and fifteen (3,815) according to the last preceding Federal Census, or any future Federal Census, to adopt by a majority vote of qualified voters of such county a county unit system [of education] to the extent provided in this Act; . . .¹⁵

This bill had a population span of ninety-five, and applied to Cochran County (3,735 pop.) and Lipscomb County (3,764 pop.). Such a bill is popularly referred to as a "population-bracket" bill, and contained a population-bracket in order to circumvent the provision in the Texas Constitution that the Legislature may not pass (except as otherwise provided in the Constitution) any local or special law "Regulating the affairs of Counties."¹⁶ Population bills—those containing either a single figure or a bracket—reached a peak in Texas during the Forty-sixth Legislature, Regular Session (1939), when 28.5% of the total laws passed during the session contained population figures—most of them in the form of bracket bills.¹⁷ Since population bills loom rather large in the total legislative effort in this State, it is interesting to observe, in view of the constitutional restrictions previously mentioned, the position taken by the state courts in regard to this type of local and special legislation.

Definitions

The Texas courts have defined a local law as a law that applies only to

¹⁵Senate Bill No. 240, 49th Leg., Reg. Sess., *Daily Senate Journal*, March 8, 1945, pp. 347-348. This is a simple form of a population bill. Such legislation may contain one or more additional elements as assessed valuation, scholastics, area, etc. The Texas Legislature has developed ingenious combinations in enacting laws which apply to local areas. Some fourteen or fifteen variations have been used in regard to the manner in which the population figures may be arranged in local laws.

¹⁶Art. III, Sec. 56. This is one of the twenty-nine subjects which cannot be covered by local or special law. A large per centage of the laws passed each session by the Texas Legislature apply to one or more local units of government.

¹⁷Former Governor Coke Stevenson vetoed sixteen population-bracket bills passed by the Forty-eighth (1943) and Forty-ninth (1945) Legislatures, Regular Session. All vetoes, except one, were on grounds of constitutionality (Art. III, Sec. 56). Gerald C. Mann (1939-1944) was the first Attorney General to take an aggressive stand against bracket bills. He declared, in his opinions, some seventy-four population-bracket bills unconstitutional. Succeeding administrations in the Attorney General's Department have followed a similar course. Such efforts have been of good effect since only 14% of the total laws passed by the Fiftieth Legislature, Regular Session (1947), contained population figures.

a particular locality¹⁸ or fixed part of the territory of the state.¹⁹ Also, the United States Supreme Court has declared that, "The phrase local law means, primarily at least, a law that in fact if not in form is directed only to a specific spot."²⁰ A local act is an act applicable only to a particular part of the legislative jurisdiction.²¹

The Supreme court of Texas has defined a special law in the following words:

.... Technically a special law is a law which applies to an individual or individuals, or to some individuals of a class, and not to all of a class; . . .²²

Again the Court has said, "... A special or private act is a statute operating only on particular persons or private concerns. . ."²³

Technically speaking, there is a difference between local and special acts. Such distinctions, as made from time to time by the courts, however, have not been used as a basis for the decisions rendered, but merely as a means of clarifying the issue before the courts. The terms "local" and "special," as found in Article III, Sections 56 and 57, of the Texas Constitution, are used synonymously both by the Legislature and the courts.²⁴

Some cases which come before the courts involve purely local laws applying generally to one or more counties, cities, or school districts. In some instances, cases involve laws combining three elements. That is, they are local laws in that they apply to geographical area or sub-division less than the whole state, while they are special or private laws in the sense that they affect only one or a few public officials or persons in that local area. Most cases concerning local legislation center around laws which are both local and special, since they have a limited application both as to geography and to persons or things in the local area.

Instead of making a distinction between local and special or private laws, courts in the various states have distinguished between general laws on the one hand, and local and private laws on the other. The Supreme Court of Pennsylvania has made the latter distinction in the following words:

¹⁸*Smith v. Grayson County*, 44 S. W. 921, 922, (1897).

¹⁹*Clark v. Finley*, 54 S. W. 343, 346, (1889).

²⁰*Gray v. Taylor*, 227 U. S. 51, 56, (1913).

²¹*Vincent v. State*, 235 S. W. 1084, 1086, (1921).

²²*Wallis v. Williams*, 108 S. W. 153, 154, (1908).

²³*Vincent v. State*, 235 S. W. 1084, 1086, (1921). Special and private acts are exceptions rather than rules. The Romans used *senatus decretal* as distinguished from *senatus consulta* which regarded the whole community. (25 *Ruling Case Law*, Sec. 65, pp. 813-814).

²⁴*Smith v. Grayson County*, 44 S. W. 921, 922 (1897), and *Lastro v. The State*, 3 Tex. Ct. of App. R. 363, 374 (1878).

Without entering at large upon the discussion of what is here meant by a 'local or special law', it is sufficient to say, that a statute which relates to persons or things as a class, is a general law, while a statute which relates to particular persons or things of a class is special, and comes within the constitutional prohibition.²⁶

This distinction has generally been accepted by the courts in other states.²⁶ It provides a workable definition for considering the general guides which the courts follow in determining whether a particular population bracket provides a valid or invalid classification.²⁷

Necessity for Classification

By the latter part of the Nineteenth Century state courts had recognized that the classification of local areas of the state for purposes of legislation was necessary and desirable.²⁸ On this point, the Kansas Supreme Court declared in 1906:

That for many purposes the classification of cities according to population is a natural and proper one is clear, and we think has never been doubted. The statutes providing for municipal government in this state have always proceeded upon the theory that a system adapted to a small town might not be suitable for a larger one.²⁹

However, by this recognition of the need for classification of local units, the courts encouraged local and special legislation. Later the legislatures took advantage of this judicial attitude to pass hundreds of local and special bills—many of which were unnecessary. These laws served to promote the interests of small groups in the local units and, therefore, to strengthen the political position of individual legislators. Soon the legislatures developed refinements of this type of legislation to such an extent that classification upon the basis of population became only colorable, since oftentimes such classification had little relation to the real purpose of the law.

Nature of Classification

Even though the courts recognized as often proper and necessary the classification of local units for purposes of legislation, some qualifications were attached to this principle of localization. From the beginning, the

²⁶*Wheeler v. Philadelphia*, 77 Pa. St. R. 338, 348, (1875).

²⁷For example, *State v. Toole*, 71 Mo. R., 645, 650, (1880) and *Clark v. Finley*, (Texas) 54 S. W. 343, 345, (1899). See also *16 Corpus Juris Secundum*, (1939), Constitutional Law, Sec. 489.

²⁸Only the problem of classification by means of population figures is considered in this study—related issues have been omitted. Cases which illustrate the problems of classification may be found in Frank E. Horack, Jr., *Cases and Materials on Legislation* (Chicago, 1940), fn. 5, p. 384.

²⁹*Clark v. Finley*, 54 S. W. 343, 346, (1899).

³⁰*The Parker-Washington Company v. The City of Kansas City*, 73 Kan. R. 722, 725, (1906).

courts were concerned with the rigidity of the classification. The classification, they said, must not be forever fixed; that is, it must be so arranged that local units may grow into or out of the class.³⁰ Such flexibility permitted the courts to say that such a law was general rather than local or special in nature. This principle was forcefully stated by Section A of the Texas Commission of Appeals in 1931.³¹ The Commission was called upon to determine the constitutionality of an act of the Forty-first Legislature, Fourth Called Session, 1930, which authorized improvement bonds in cities having between 106,000 and 110,000 inhabitants *according to the 1920 Federal Census*.³² The Commission said in part:

An examination of the census referred to discloses that the city of Fort Worth, Texas, is absolutely the only city in the state of Texas that has a population coming within the provisions of this act. Furthermore, the act is so constructed that it is absolutely impossible for any other city in the state to ever be included within the terms or under the provisions of the act. It is therefore our opinion that this act is confined in its application to the city of Fort Worth only, just as clearly, and just as effectively as if the stipulation with reference to population had been omitted and the name 'Fort Worth' written therein in its stead. The Constitution in plain and simple terms prohibits the enactment of any local or special law regulating the affairs of cities, or changing their charters.³³

The Court declared this to be an absolute classification, in that no other city in the future might grow into the stipulated population bracket.³⁴ The law did not provide the words "according to the United States Census of 1920 or any future Federal Census." Only the 1920 Census was mentioned. The omission of "or any future Federal Census" made the law very rigid or absolute. Such a law, of course, did not meet the flexible standard. If the 1920 Census had not been specifically referred to, the

³⁰The increase or decrease in the population of a certain county after a bracket bill has been passed, may eliminate that county from the operation of the law—depending upon the extent of the increase or decrease in population. Such a change in population may cause the introduction of a bill to amend the original bracket. See *Annual Opinion Report of the Attorney General of Texas*, Vol. 2, (1940), Opinion No. O-2681, pp. 275-276.

³¹An amendment adopted by the people Aug. 25, 1945, increased the Texas Supreme Court to nine judges. The judges of the Commission of Appeals (Sections A and B), who previously constituted an arm of the Court, became Associate Justices of the enlarged Court.

³²H. B. No. 101, Ch. 43, Acts of the 41st Leg., 4th Call. Sess., (1930), *General Laws of Texas*, pp. 82-85.

³³*City of Fort Worth v. Bobbitt*, 36 S. W. 2d 470, 471-472, (1931). See also *Bexar County v. Tynan*, 97 S. W. 2d 467, (1936); and *Parker-Washington Co. vs. Kansas City*, 73, Kan. R. 722, (1906); see also the opinion of Chief Justice Cardozo, in *re Elm Street in City of New York*, 158 N. E. 2d, 26, (1927), and *Smith v. The State*, 120 Tex. Cr. R., 431, 437-440, (1932).

³⁴See Horack, *op. cit.*, fn. 4, p. 384.

Court would probably have held the law general instead of local, for other cities in the future might have come within its population brackets.³⁵

A similar position was taken by the Attorney General's Department in an opinion dated June 5, 1947. This opinion was concerned with the validity of a law authorizing the Commissioners' Court, in counties of 19,000 - 50,000 as shown by the 1940 *Federal Census*, and which had an assessed valuation of taxable property of not less than \$25,000,000, to appoint a juvenile officer.³⁶ The opinion declared that:

The language 'having a population . . . , as shown by the 1940 Federal census, and which has an assessed valuation of taxable property of not less than Twenty-five Million Dollars (\$25,000,000),' definitely confines the application of the Act to the counties which met those requirements at the effective date of the Act. No other county can ever come into the same class because of the tie to the 1940 census and to the present tax rolls of the counties now in the class. . . .³⁷

The classification provided in the law was based on the 1940 *Federal Census*, and the 1947 tax valuations, and for this reason was held invalid as a local act since:

A classification based upon existing or past conditions or facts and which would exclude the persons, places, things or objects thereafter coming into the situation or condition, is special and void. Thus a classification of cities or counties based upon existing population or upon the population shown by specific census is of this character. . . .³⁸

The phrase "last preceding" census may be included in the wording of the statute. Such permits other local units in the future to come within the classification. Laws of this nature when based upon otherwise reasonable classifications have been upheld.³⁹ The courts have said that the classification must not be inflexibly fixed, exclusive, absolute, or perpetual, since ". . . legislation is not intended for the present merely; it provides for and anticipates the wants of the future. . . ."⁴⁰

³⁵The Court will take judicial notice of the preliminary announcement of the census and other reports, as well as the final report. These reports may be considered in determining what the population of a local area is at a particular date. This is true even though corrections may later be made by the Census Bureau. See *Holcomb v. Spikes*, 232 S. W. 891, (1921), and *Ervin v. State*, 44 S. W. 2d 380, (1931).

³⁶H. B. No. 51, Ch. 50, Acts of the 50th Leg., Reg. Sess., *General and Special Laws*, 1947, pp. 65-67. The provisions of the law applied to Bell, Brazoria, Duval, Ellis, Fort Bend, Gray, Hutchinson, Jim Wells, Montgomery, Tom Green, Van Zandt, Victoria, Wharton, and Wood Counties.

³⁷Opinion No. V-235, June 5, 1947.

³⁸Lewis Sutherland, *Statutory Construction* (Chicago, 1904), 2d. Vol. 1, pp. 397 *et seq.*

³⁹*City of Fort Worth v. Bobbitt*, 41 S. W. 2d 228 (July 22, 1931). This case should not be confused with *City of Fort Worth v. Bobbitt*, 36 S. W. 2d 470 (March 4, 1931). See also *Bexar County v. Tynan*, 97 S. W. 2d 467 (1936).

⁴⁰*Commonwealth v. Patton*, 88 Pa. St. R. 258, 260. (1879); citing *Wheeler v. Philadelphia*, 77 Pa. St. R. 338, (1875).

A local unit may be designated by description as effectively as it can be named in the law in the first instance. Such description, whether it be provided by the use of population figures or by other means, may at times amount to isolation rather than classification. In this respect the Supreme Court of Texas has held that:

... when the law is so drawn that it applies only to one city, and can never apply to any but this one city in any possible event, the law is unconstitutional and void, because such a law is not based on classification but on isolation.⁴¹

This principle, that a classification must not be too rigidly drawn, has been accepted by the Texas courts as well as by the courts of other states. For example, the Supreme Court of Kansas has held that:

... An act general in its provisions, but which can presently apply to only one city on account of there being but one of requisite population or other qualification, but which was designed to, and can in all substantial particulars apply to other cities as they become possessed of the requisite population or other qualification, cannot be regarded as a special act. . . .⁴²

Thus, it is well recognized that "A class of cities or counties, based upon population, may be valid, though it embraces but one city or county, if others may come into the class on attaining the specified population."⁴³

The courts, recognizing the need for classification, have declared such to be natural and proper. This does not mean, as already pointed out, that the courts will uphold all classifications based on population which may be stipulated in law. The courts of the various states have laid down certain principles relating to the nature and extent of classifications based on population. One of these principles is that there must be a substantial reason for the classification. In supporting this point of view, the Texas Court of Criminal Appeals has said:

Classification of cities and counties by population, and legislation applicable to such classification, has generally been sustained where a substantial reason appears for such classification. . . .⁴⁴

The courts have never stated any hard and fast rule as to what constitutes a reasonable justification or a substantial reason for classification; rather, they have made a determination of this point on the basis of the facts in each case. The courts have said that differences in population of various areas of the state justified classification. Also, the courts have said that the volume of work of local officials is in some degree proportionate to

⁴¹*City of Fort Worth v. Bobbitt*, 36 S. W. 2d 470, 473, (1931).

⁴²*The State v. Downs*, 60 Kan. R. 788, 793-794, (1889). See also *Hibbard v. State*, Supreme Court of Ohio, 64 N. E. 109, 112, (1901).

⁴³Lewis Sutherland, *Statutory Construction*, (2d ed.), p. 397 *et. seq.* and notes. Cited by the Courts in *City of Fort Worth v. Bobbitt*, 36 S. W. 2d 470, 472, (1931).

⁴⁴*Smith v. State*, 120 Texas Cr. R. 431, 435, (1932), and McQuillin, Eugene, *A Treatise on The Law of Municipal Corporations* (Chicago, Ill., 1911) Vol. I, Sec. 218, pp. 498-499.

number of people in the local area. The Supreme Court of Texas, in recognition of this fact, has declared:

... that substantial differences in populations of counties could be made a basis of legislation fixing compensation of officials, on the theory, as the court clearly recognized, that the work devolving upon an officer was in some degree proportionate to the population of the county. This has frequently been recognized by courts as creating a sufficient distinction to justify a larger compensation for county officers in counties having a large population as compared with compensation to like officers in counties having a small population. . . .⁶

It seems plausible that there would be some relation between the amount of work performed by local officials and local population. The extent of this relation is always taken for granted, as no facts or figures are ever presented to the courts. In a Tennessee case, however, the Supreme Court of that state questioned the theory of the relationship of population to work-load as a basis for compensation by declaring:

The labor required to perform the duties of the circuit court clerk's office and the amount of fees inuring to the office are controlled by the character and extent of litigation and the business activity of the population rather than the quantity of population. . . .⁷

It is no doubt true that the extent of litigation and the business activity of the population would influence the volume of work of local officials, as well as the quantity of population. All these elements should be considered in determining compensation for local officials. Regardless of this fact, differences in population of various areas in the states have been held in numerous cases as justification for the localization and particularization of legislation. This has been true in regard to local laws providing salary adjustments as well as to other laws. Again, the courts decide in individual cases whether or not there appears to be a substantial reason for making the classification.

As noted previously, there must exist a reasonable justification for the classification, and, ". . . the basis of the classification invoked must have a direct relation to the purpose of the law. . . ."⁸ Here again no rigid rule can be stated, as judicial views vary. Whether or not a particular classification has a direct relation to the purpose of the law depends to a large extent upon the facts and circumstances of each case. One or two illustrations may be given to illustrate the position of the courts in this respect.

The Supreme Court of Texas in 1936, as mentioned before, had to determine the validity of a law which reduced salaries of officials in counties of over 290,000 and less than 310,000 population. As drafted, the law applied to Bexar County only. The salaries in that county would have

⁶*Bexar County v. Tynan*, 97 S. W. 2d 467, 470, (1936), and *Clark v. Finley*, 54 S. W. 343, (1899).

⁷*Harbert v. Mabry*, 166 Tenn. R. 290, 293, (1933).

⁸McQuillin, *op. cit.* Sec. 218, pp. 498-499, and cases cited.

been reduced below that in counties of 37,500 population and to less than half the compensation allowed in other counties of more than 150,000 population. The Court thought such a classification had no relation to the purpose of the legislation, saying:

.... we think it true that if the Legislature ignores the obvious fact that the work of county officers is proportionate to population and classifies counties in such way that the compensation of officers of a county having a large population is fixed far below the compensation allowed like officers in small counties, such action amounts to fixing a classification which is arbitrary and which has no true relevancy to the purpose of legislation. . . .⁴

The courts, therefore, consider in individual cases the nature of the classification and the purpose of the particular legislation. Unless there is some direct relation between the classification and the purpose of the legislation, the courts hold that the law is unreasonable and arbitrary in its classification and, therefore, void as a local or special law.

This principle has been followed in other states. For example, in 1933 the Supreme Court of Arkansas had to determine the constitutionality of a law which provided that the county highway funds allowed to counties having more than one judicial district and a population of not less than 65,000 should be divided between judicial districts on the basis of mileage of county-maintained roads. The law applied to Mississippi County only. In holding the law void as a local act the Court declared:

.... The fact that it applies to counties having more than one judicial district and a population of 65,000 or more is arbitrary, and a county having two judicial districts and 65,000 population has no reasonable relation to the purposes and object to be attained by the statute.⁵

The Court further said:

.... It is therefore an arbitrary and unnatural classification, and there is no natural connection between counties having more than one judicial district and 65,000 population, and the division of the county highway funds. The act therefore cannot be upheld on the ground of classification.⁶

A similar view was expressed in 1927 by the Commission of Appeals of Texas, Section A. The Commission, in considering the validity of an act which provided for the selection of jurors in all counties having a city containing a population of 20,000 or more, said in part:

The Legislature has undoubtedly authority to prescribe by general law, the qualifications of jurors. But, since we have been unable to discover any relation between a man's capacity and fitness for jury service and the size of population of the county in which he resides, or of a city of such county, we should entertain grave doubts as to the constitutionality of a law which undertook to establish a standard, by which the capacity and fitness of men for jury service are determined, which varies

⁴*Bexar County v. Tynan*, 97 S. W. 2d 467, 470-471, (1936).

⁵*Leonard v. Luxora-Little River Road Maintenance District No. 1*, 187 Ark. R. 599, 601, (1933).

⁶*Idem.*

in the different counties of the state, with no basis for such variation other than population. . . .⁵¹

Again, the existence or non-existence of a direct relation between the nature of the classification and the purpose underlying the legislation, must of necessity depend upon the circumstances and facts of each case as it comes before the courts. It could not be otherwise when one considers the great variety of subjects covered by local and special laws, the different ways in which the classification may be set up, and the varying conditions under which enacted.

In addition, the courts will look at each law to determine if a real classification has been made. This is to say, "The classification adopted must rest in real or substantial distinctions, which renders one class, in truth, distinct or different from another class . . .," and, "There must exist a reasonable justification for the classification; . . ."⁵² The law must provide reasonable classifications. Otherwise the law would contravene constitutional provisions against the passage of private, local or special laws. The law must operate uniformly on all members of any class or persons, places, or things. In order,

. . . that a law which operates only on a class of individuals may be a general law, the class must not only be germane to the purpose of the law, but must also be characterized by some substantial qualities or attributes which render such legislation necessary or appropriate for the individual members of the class. . . .⁵³

The Texas Supreme Court realized at an early date that most laws passed by the Legislature, whether they be general, local, special, or private, do not apply to all persons alike, but apply rather to one or more classes. Due to the operation and application of laws, regardless of their type, classification is inevitable. Therefore, the Court has emphasized that

. . . A law is not special because it does not apply to all persons or things alike. Indeed most of our laws apply to some one or more classes of persons or of things and exclude all others. Such are laws as to the rights of infants, married women, corporations, carriers, etc. Indeed, it is perhaps the exception when a statute is found which applies to every person or thing alike. Hence it cannot be that the statute under consideration is special merely because it is made to operate in some counties of the state and not in others. . . .⁵⁴

Since classification is inevitable, the problem of the court is to determine if the classification rests on real distinctions so as to establish a distinct class, and if the law applies uniformly to that class.

The courts have never said what constitutes a distinctive class. Neither have they laid rigid rules by which to justify classification or principles

⁵¹*Northern Texas Traction Co. v. Bryan*, 294 S. W. 527, 531, (1927). See also *Randolph v. State*, 36 S. W. 2d 484, 485, (1931).

⁵²McQuillin, *op. cit.*, Sec. 218, p. 498.

⁵³*25 Ruling Case Law*, Sec. 66, p. 817.

⁵⁴*Clark v. Finley*, 54 S. W. 343, 345, (1899).

to follow in determining whether the law has a uniform operation within a given class. Rather, courts have approached these questions in a general way. The Texas Supreme Court, in 1941, declared:

... the courts recognize in the Legislature a rather broad power to make classification for legislative purposes and to enact laws for the regulation thereof, even though such legislation may be applicable only to a particular class or, in fact, affect only the inhabitants of a particular locality; but such legislation must be intended to apply uniformly to all who may come within the classification designated in the Act, and the classification must be broad enough to include a substantial class and must be based on characteristics legitimately distinguishing such class from others with respect to the public purpose sought to be accomplished by the proposed legislation. In other words, there must be a substantial reason for the classification. It must not be a mere arbitrary device resorted to for the purpose of giving what is, in fact, a local law the appearance of a general law. . . .⁶⁶

How may legislation be judged as applying uniformly to all who come within a designated classification? What is a substantial class? What are the characteristics which distinguish one class from others? What constitutes a substantial reason for a classification? These specific questions have never been answered by the courts. They have been forced to follow a general approach because of the great variation in circumstances and facts found in cases involving such questions.

In the decision just mentioned, in addition to speaking of a "substantial class," "distinctive characteristics" of a particular class, "justification" of a class, and "uniform application" within a class, there was added still another general principle: the population spread must be "broad." The Court, in restating the other general principles, declared:

We are therefore met at the outset with a law which, under facts well known at the time of its adoption, was applicable only to a single county. Clearly then it is a local law and must fall as such, unless it can be fairly said that the class so segregated by the Act is a substantial class and has characteristics legitimately distinguishing it from the remainder of the State so as to require legislation peculiar thereto. In this instance the classification is made to rest entirely on the population of the county and a city therein. Resort to population brackets for the purpose of classifying subjects for legislation is permissible where the spread of population is broad enough to include or segregate a substantial class, and where the population bears some real relation to the subject of legislation and affords a fair basis for the classification. . . .⁶⁷

While admitting that the population method of effecting classification had been legitimately employed in fixing the fees of local officials, the Court said:

⁶⁶*Miller v. El Paso County*, 150 S. W. 2d 1000, 1001-1002, (1941). See also *City of Fort Worth v. Bobbitt*, 36 S. W. 2d 470, (1931); *Bexar County v. Tynan*, 97 S. W. 2d 467, (1936); *Clark v. Finley*, 54 S. W. 343, (1899); *Supreme Lodge United Benevolent Ass'n. v. Johnson*, 81 S. W. 18, (1904); *Smith v. State*, 49 S. W. 2d 739, (1932); *Randolph v. State*, 36 S. W. 2d 484, (1931); *Fritter v. West*, 65 S. W. 2d 414, (1933); *State v. Hall*, 76 S. W. 2d 880, (1934); and *Wood v. Marfa Ind. School District*, 123 S. W. 2d 429, (1938).

⁶⁷*Miller v. El Paso County*, 150 S. W. 2d 1000, 1002, (1941).

. . . even then it is permissible only where the spread of population is substantial and is sufficient to include a real class with characteristics which reasonably distinguish it from others as applied to the contemplated legislation, and affords a fair basis for the classification. . . .²⁷

The Court did not say, however, how broad the population spread had to be in order to constitute a valid classification. It could not very easily be declared, for example, that all local and special bills which carried a population spread greater than 5,000 would be valid. Conditions vary too much for such a rigid rule. If the Court declared such a principle, it would be acting as arbitrarily as the Legislature in passing a narrow population-bracket bill in the first instance.

It is generally recognized that:

The number of persons affected by a law does not control or determine the question of its validity; it is enough that the law relates to a subject of a general nature, and is general and uniform in its operation upon every person who is brought within the relation and circumstances provided for by it. . . .²⁸

The Supreme Court of Pennsylvania in 1875 declared itself in a similar manner. The Court said:

. . . Classification does not depend upon numbers. The first man, Adam, was as distinctly a class, when the breath of life was breathed into him, as at any subsequent period. The word is used not to designate numbers, but a rank or order of persons or things; in society it is used to indicate equality, or persons distinguished by common characteristics, as the trading classes; the laboring classes; in science, it is a division of or arrangement, containing the subordinate divisions of order, genus, and species.²⁹

Although the courts have never defined what constitutes a class, and have never been concerned with numbers, they have on occasion said that a pretended class may be no class—depending upon the nature of the classification. The Supreme Court of Texas in 1899 emphasized this point by saying:

. . . we do not propose to be led off into any extended discussion as to what is a proper class for the application of a general law. The tendency of the recent decisions upon the subject, as it seems to us, is to drift into refinements that are rather more specious than profitable. It is said in some cases that the classification must be reasonable; in others, that it must not be unreasonable or arbitrary, etc. If it is meant by this that the legislature cannot evade the prohibition of the constitution as to special laws by making a law applicable to a pretended class, which is, in fact, no class, we concur in the proposition. . . .³⁰

Courts can much more easily say, in effect, that a pretended classification constitutes no class than they can lay down specific class specifications to fit future cases.

"Idem."

²⁷Lewis Sutherland, *Statutory Construction*, (2d ed.), p. 397, *et. seq.*, and notes, as cited in *City of Fort Worth v. Bobbitt*, 36 S. W. 2d 470, 472, (1931).

²⁸*Wheeler v. Philadelphia*, 77 Pa. St. R. 338, 350, (1875).

²⁹*Clark v. Finley*, 54 S. W. 343, 345, (1899).

An excellent example of a pretended classification is found in a case considered by the Supreme Court of Pennsylvania in 1878. The Court had to determine the validity of an act which provided:

.... that in all counties . . . where there is a population of more than sixty thousand inhabitants, and in which there shall be any city incorporated at the time of the passage of this act with a population exceeding eight thousand inhabitants, situate at a distance from the county seat of more than twenty-seven miles by the usually traveled public road, it shall be the duty of the president judge or of the additional law judge, or of either, to make an order providing for the holding of one week of court, after each regular term of court for said county, for the trial of civil or criminal cases in said city.²⁵

The act as drafted at the time of passage applied to Crawford County, and the city of Titusville came within its provisions. The Court in invalidating the law, declared:

.... This is classification run mad. Why not say all counties named Crawford, with a population exceeding sixty thousand, that contain a city called Titusville, with a population of over eight thousand, and situated twenty-seven miles from the county seat? Or all counties with a population of over sixty thousand watered by a certain river or bounded by a certain mountain? There can be no proper classification of cities or counties except by population. The moment we resort to geographical distinctions we enter the domain of special legislation, for the reason that such classification operates upon certain cities or counties to the perpetual exclusion of all others. . . .²⁶

The Court recognized in this case that the law provided a pretended classification which was in fact no classification at all. In this case the Court did, however, declare classification by population to be the only proper method of classification for cities and counties. Since 1879, the time of this decision, state legislatures have certainly utilized the population method.

In determining whether or not a law provides a pretended classification, the courts look to its substance and practical operation. The rule followed by the courts has been stated in the following words:

In determining whether a law is public, general, special, or local, the courts will look to its substance and practical operation rather than to its title, form and phraseology, because otherwise prohibitions of the fundamental law against special legislation would be nugatory. . . .²⁷

This rule is cited and followed by the various state courts.

In 1900, The Supreme Court of Illinois stated a principle regarding the nature of classification which has been often cited by other state courts. It declared that:

.... the rule is that a classification cannot be adopted arbitrarily upon a ground which has no foundation in difference of situation or circumstances of the municipalities placed in the different classes. There must be some reasonable relation be-

²⁵*Commonwealth v. Patton*, 88 Pa. St. R. 258, 259, (1879).

²⁶*Ibid.*, p. 260.

²⁷25 *Ruling Case Law*, Sec. 66, p. 815, and authorities cited.

tween the situation of municipalities classified and the purposes and objects to be attained. There must be something, in the nature of things, which in some reasonable degree accounts for the division into classes. . . .⁴

What characterizes a pretended classification? What is a substantial or real class? And what constitutes an arbitrary or unreasonable classification? Answers to these questions must in the future, as in the past, depend in large measure upon the facts and circumstances of individual cases. The courts have not provided specific answers to fit all future cases.

Legislative Versus Judicial Questions

Sometimes in considering population bills and the validity of classifications, the courts have been concerned with the problem of whether or not a particular case presents a legislative or judicial question. The Texas Supreme Court in 1899 realized this problem when it said:

. . . To what class or classes of persons or things a statute should apply is, as a general rule, a legislative question. When the intent of the legislature is clear, the policy of the law is a matter which does not concern the courts. A legislature may reach the conclusion that the compensation of certain officers in certain counties of the state is excessive, while in others it is not more than enough. By the reduction of the fees of office throughout the state they may correct the evil in those in which the compensation is too great, but they would probably inflict a greater evil by making the compensation too small in all the others. In such a case it becomes necessary to make the law applicable to some, and not to all. . . .⁵

The Court admitted that in such a case classification was necessary, and that the classification might be either on the basis of population or on taxable values. Questions such as the following are for the legislature, rather than the courts, to answer:

. . . Shall the courts inquire which is correct? [Population or taxable values] Can they say that the work of an officer is not, in some degree, proportionate to the population of his county? On the other hand, can they say that, the more the property of the county, the more the crime? To ask these questions is to make it apparent that they are questions of policy, determinable by the political department of the government, and not questions the determination of which by the legislature is subject to review by the courts. . . .⁶

A similar legislative or political question may be raised by that part of Article III, Section 56, of the Texas Constitution, which, after listing the prohibited subjects, provides that ". . . in all other cases where a general law can be made applicable, no local or special law shall be enacted. . . ." The courts of the several states differ as to whether this determination

⁴*The People v. Knopf*, 183 Ill. R. 410, 420-421, (1900). See also *Leonard v. Luxora Little River Road Maintenance District No. 1*, 187 Ark. R. 599, 601, (1933); and *Bexar County v. Tynan*, 97 S. W. 2d 467, 470, (1936).

⁵*Clark v. Finley*, 54 S. W. 343, 346, (1899).

⁶*Idem*.

should be made by the legislative or judicial branch.⁶⁷ Some state courts have declared that this constitutional prohibition is not prohibitory, but rather cautionary on the legislature. That is to say, some courts hold that the intention of such a constitutional provision is to vest discretionary action in the legislature. Other courts hold that such a constitutional restriction would not prove very effective if the determination of whether or not a general law can be made applicable was left solely to the legislature. Some state constitutions, as for example, the Constitution of Kansas, provide:

All laws of a general nature shall have a uniform operation throughout the State; and in all cases where a general law can be made applicable, no special law shall be enacted; and whether or not a law enacted is repugnant to this provision of the Constitution shall be construed and determined by the courts of the State.⁶⁸

The Constitution of Michigan provides:

The Legislature shall pass no local or special act in any case where a general act can be made applicable, and whether a general act can be made applicable shall be a judicial question. . . .⁶⁹

Thus, some state constitutions provide that the courts shall determine whether or not a general law can be made applicable. The Texas Constitution does not stipulate that the courts shall make the determination.

Exemption by Population Figures

The Texas courts have at times had to consider whether or not population figures could be used to exempt a single county from the application of a particular law. To illustrate, the Forty-fourth Legislature, Regular Session, 1935, passed a local act relating to the appointment and duties of county traffic officers. Section four of this act provided that:

The provisions of this Act shall apply to all counties in this State having a population of more than one hundred and twenty-five thousand (125,000) Provided, this Act shall not apply to counties of not less than one hundred and ninety-five thousand (195,000) population, nor more than two hundred and five thousand (205,000) population. . . .⁷⁰

With regard to the law applying to all counties of more than 125,000 population the Court said:

If this were the only limitation on the application of the act, its validity could be sustained as a general law on the ground that the classification is broad enough

⁶⁷25 *Ruling Case Law*, Sec. 73, pp. 824-826, and authorities cited.

⁶⁸*Constitution of Kansas*, Art. II, Sec. 17.

⁶⁹*Constitution of Michigan*, Art. V, Sec. 30. Similar provisions are provided in the *Constitution of Minnesota*, Art. IV, Sec. 33, and the *Constitution of Missouri*, (1945), Art. III, Sec. 40, (30).

⁷⁰H. B. No. 306, Ch. 306, Act of the 44th Leg., Reg. Sess., (1935), *General and Special Laws*, p. 712. According to the 1930 Census six counties (El Paso, Jefferson, Tarrant, Bexar, Dallas, and Harris) had a population of more than 125,000. Tarrant County with a population of 197,553 was exempted from the provisions of the law by the 195,000-205,000 bracket.

to include a substantial class, and the necessity for classification on the basis employed seems to bear some real and fair relation to the subject of the legislation. . . .⁷³

The Court, taking a different attitude toward the provision exempting from the law counties of not less than 195,000 nor more than 205,000 population, declared that:

. . . We can conceive of no reason why the Commissioners' Courts of counties with a population of less than 195,000 and those with populations in excess of 205,000 should have a right to employ county traffic officers, while the Commissioners' Court of Tarrant County, such county having a population of between 195,000 and 205,000 should not have such right. The necessity for the employment of traffic officers in Tarrant County appears to be as urgent as in Counties of lesser population. The classification appears to be an arbitrary one bearing no relation to the subject of legislation, and as a consequence this particular section of the act is void as a local or special law. . . .⁷⁴

Since the bracket provision making the exemption was void, the entire act had to be declared void:

. . . because otherwise the court would have to apply the act to all counties having a population in excess of 125,000, and this would be giving the act a broader scope than was intended by the Legislature. . . .⁷⁵

Obviously enough, the Legislature could not exempt a county by name from the operation of a population bill.⁷⁶

General Principles

In conclusion, the general principles followed by the Texas Courts,⁷⁷

⁷³*Anderson v. Wood*, 152 S. W. 2d 1084, 1087, (1941).

⁷⁴*Idem*.

⁷⁵*Idem*. See also Lewis Sutherland, *Statutory Construction*, (2d ed.) Vol. 1, Sec. 306; and *Ruling Case Law*, Vol. 6, p. 129.

⁷⁶*Hall v. Bell County*, 138 S. W. 178, (1911). This case was concerned with an act passed by the Twenty-ninth Legislature, (1905), which was amended by the Thirtieth Legislature, (1907). As amended the act created the office of county auditor in counties having a population of 40,000 or containing a city of 25,000. On April 1, 1909, the Thirty-first Legislature passed a law exempting Bell County by name from the provisions of the former law. This law the Court held invalid as a local or special law.

⁷⁷*Clark v. Finley*, 54 S. W. 343, (1899); *O'Brien v. Amerman*, 247 S. W. 270, (1922); *Northern Texas Traction Company v. Bryan*, 294 S. W. 527, (1927); *City of Fort Worth v. Bobbitt*, 36 S. W. 2d 470, (1931); *Randolph v. The State*, 36 S. W. 2d, 484, (1931); *Smith v. The State*, 120 Tex. Cr. R. 431, (1932); *Womack v. Carson*, 65 S. W. 2d 485, (1933); *State v. Hall*, 76 S. W. 2d 880, (1934); *Bexar County v. Tynan*, 97 S. W. 2d 467, (1936); *Shannon v. Tarrant County*, 99 S. W. 2d 964, (1936); *Brownfield v. Tongate*, 109 S. W. 2d 352, (1937); *Wood v. Marfa Independent School District*, 123 S. W. 2d 429, (1938); *Watson v. Sabine Royalty Corporation*, 120 S. W. 2d 938, (1938); *Ex parte Ferguson*, 132 S. W. 2d 408, (1939); *Anderson v. Wood*, 152 S. W. 2d 1084, (1941); *Miller v. El Paso County*, 150 S. W. 2d 1000 (1941); *Jackson v. Smith*, 161 S. W. 2d 520, (1942); and *Oakley v. Kent*, 181 S. W. 2d 919, (1944). Cf., Horack, *op. cit.*, p. 384, and Horace E. Read and John W. MacDonald, *Cases and Other Materials on Legislation* (Brooklyn, 1948), notes on 2, 3, and 4, p. 448.

and state courts in general, regarding the validity of a classification based on population may be summarized as follows:

- (1) The courts have used general terms in attempting to assign characteristics to a classification. Such terms as "real," "substantial," "arbitrary," "natural," "unnatural," and so forth, enable the courts to meet the great variety of conditions presented by the facts and circumstances of individual cases;
- (2) Population may be made the basis of classification, provided the law applies uniformly to all persons or things in a particular class;
- (3) The courts have never attempted to speculate on how broad the population span or unit of population should be. The practical effect and operation of the law must be determined in individual cases;
- (4) The courts will look to the practical application of each law rather than to the terminology, descriptive phrases, and the like, found in the law;
- (5) Population laws containing only one population figure, generally speaking, are declared valid;
- (6) A classification which refers to a pretended class is no class at all;
- (7) The classification must have some relation to the objects sought to be obtained by the legislation;
- (8) Classification does not mean isolation; and
- (9) The classification must be a flexible one—that is, it must not be so absolute, exclusive, or perpetual as to prevent local units from growing into or out of a particular class.

Housing Market Analyses of University Communities

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University communities, since the conclusion of the war, have been faced with a critical housing shortage. The large numbers of married students, mainly veteran, that have been attending universities are responsible for this situation. Regardless of the measures undertaken by the universities and by private interests to provide housing, the situation has remained critical. To date, in most university communities, additional housing units have not meant relief; they have meant more married students and continued shortage.

University communities are generally considered to be superior places in which to live. Their educational, cultural and recreational facilities are more adequate and they have a better quality of housing and more valuable housing than the average urban community in their respective states. This is borne out by a study of the quality and value of housing for 1940 in Chapel Hill, North Carolina; State College, Penn.; East Lansing, Michigan; Norman, Oklahoma; and Pullman, Washington. However, it is possible that in the attempt to meet the immediate demand, university communities may find themselves in the near future with an excess supply of housing, of which a large portion may be or may become inadequate or substandard. The building of garage apartments, the conversion of structures to more units, and house behind a house has resulted in intense use of land near campus creating living areas with inadequate light, air, and open spaces.

It is of utmost importance for a university community to undertake a study of its housing supply as it now exists and to anticipate its future housing needs both for the short and long run. By doing this, the community may develop a program to prevent the deterioration of housing and the appearance of resultant social and economic evils. It is in areas of bad housing that are found the highest rates of disease, crime, and delinquency. It is also in these areas that the cost of municipal services exceeds the tax income realized.

To understand the housing situation, a housing market analysis should be undertaken. This analysis consists of four broad divisions which are:

1. Delineation of the community's housing market area.
2. Present quantity, quality, and value of housing.
3. Population characteristics, present and future.
4. Future anticipated housing needs.

The first step in a housing market analysis is to determine the housing market area. The area is delineated by the actual residence of those who make their livelihood in the university, those attending the university,

and those agencies servicing them. The area may follow rather closely census tracts, the corporate limits of the municipality, or it may cover a larger area including adjacent rural land.

The next step in the analysis is to determine the present quantity, quality, and value of housing in the market area. In order to do this, it is at present necessary to use 1940 as the point of departure. The United States Census on Housing contains data from which a relative picture of the housing situation can be obtained.

The quantity of housing can be determined from the vacancy rate. A vacancy rate of from three to five percent is usually considered normal. This means that the buyer or renter has a relatively free choice in selecting a unit and the supplier has an opportunity to realize a reasonable return on his investment. A vacancy rate of less than three percent favors the supplier while one that is greater than five percent favors the seeker. When the vacancy rate becomes excessive, it can of course affect the quality of housing and consequently its value. Property that does not realize an income will not be maintained in an adequate state of repair.

What constitutes a satisfactory dwelling? It varies depending on regional location, socio-economic class, and what contractor, architect, realtor, decorator, or tenant is consulted. However, certain standards are generally recognized at a given time in a locality. Utilizing the average figures on items relating to housing for urban United States and for the urban state in which the community is located, a relative picture of the quality of housing in a college community can be secured.

From the *United States Census* on housing, data can be secured from five major items relating to quality. These are the percent of dwelling units:

not needing major repairs

with running water

with flush toilets

with bathing facilities

with electricity.

In addition there are four minor indicators of the quality of housing. These are the percent of units:

built since 1920

with less than 0.50 persons per room

with central heating

with more than three rooms.

The relative position of the community on the various items in relation to the averages for the urban United States and especially urban state is important. For its housing to compare favorably it should at least match urban state averages. It must be understood, however, that the urban averages are not ideal, they are only a basis for making a comparison.

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The quality of a community's housing should also be reflected in the value of that housing. Major indicators of value are the median value of owner-occupied units and the median gross monthly rent of tenant occupied dwellings. Minor indicators of value are the percent of owner-occupied dwelling units valued at less than \$1,000 and at more than \$7,500. If the quality of the community's housing was well above the urban state's, its value should also be above it.

In order to determine the present quantity of housing in the market area, it may be necessary to undertake an actual count of housing units unless the area is contained within the corporate limits and there is an adequate record of building permits and occupancy certificates. The use of the latter may result in serious under-enumeration of units especially when conversions have been made in existing structures without benefit of permits. Units owned and operated by the University should be treated separately as much of its supply is temporary in nature. A study of local trends since 1940 will give an indication as to the quality of the present housing as well as to its value.

The third phase of a housing market analysis is the study of the population, especially as to its permanency of residence in the community. Attention should be focused on the effect any immediate anticipated changes in population will have on the housing situation. In order to illustrate the problem a university community may face in case of a sudden change in population, reference will be made to a study of Norman, Oklahoma, at which the University of Oklahoma is located.¹

Due to the large postwar influx of married students, most of them veterans, it has become important to know just how many families in the community are student families. Although college records may be helpful, it may be necessary to undertake an actual population count. Either a complete or sample census of the population living in both private housing and university facilities should be made. For Norman, an actual count of housing units as well as population was made. It was found that 20,180 persons including 6,809 persons in student families resided in the 5,509 private units and 1,165 university units in the spring of 1948. This figure did not include single students residing either in university or private facilities. The population was classified as permanent or temporary with student families falling in the latter classification. This classification is important in determining housing demand in the short run.

The available evidence indicates that the number of student families living in the university community will change as the veteran enrollment changes as most married students are veterans or married to veterans. In the fall of 1948, the University of Oklahoma had 3,878 married students

¹William S. Bonner, "Housing Market Analysis of Norman, Oklahoma," 1949. Unpublished paper.

of whom 3,089 were veterans. Of the 789 non-veteran students, it was estimated that about half of these were women students married to veterans. This left about 400 married students attending the university to form the non-veteran families. If a university anticipates a sharp decline in veteran enrollment within a short period of time, (and many do), a sharp decline in the number of married students may also be anticipated.

Trends in academic class status as well as total enrollment of the veteran student body should be investigated. If the greater portion of the veteran enrollment is now found in the junior and senior classes, and the enrollment in the freshman and sophomore classes has declined sharply in number, a sharp drop in total veteran enrollment can be anticipated in one, two, or three semesters. The study of veteran enrollment at the University of Oklahoma for the school years 1946-47, 1947-48, and 1948-49, indicated that a sharp drop in veteran enrollment can be anticipated between the fall of 1949 and fall 1950. Of the veteran enrollment at the University for the fall of 1946, 63.8 percent were freshmen or sophomores while in the spring of 1949, only 28.3 percent were so classified. The total veteran enrollment for the spring of 1949 was only 111 less than in the fall of 1946. However, freshman enrollment in the spring of 1949 was 70.9 percent under that of the fall of 1946, and the sophomore enrollment was 26.8 percent less. As a large portion of demand for housing in Norman is by married students, it can be seen that as their numbers decline, the demand for housing will decline.

When student families occupy as much as one out of six units in the community not including those facilities operated for them by the university, some dislocation is inevitable as these student families withdraw. In Norman, at least one in every four private units were occupied by student families and their withdrawal will seriously affect the local housing market. Attention should be given to this possibility by both university and community officials, as the withdrawal of student families not only seriously affects the housing situation, but also local business, property values, and university-town relations.

Attention should also be given to the factors that will affect the population of the market area for some future date as, for example, 1970. Factors that may be considered include:

- Possible expansion of the university
- Location of a new institution in the community
- Additional commuters if near a large city
- Military mobilization
- Economic recession
- Possible expansion of industrial and commercial activities.

The final step of a housing market analysis is the determination of housing needs. In the long run this is based on more than just anticipated demand of the resident population. Attention should be given to the future

composition of the student body as to the number of married and adult graduate students that will be in need of housing units. Units will be needed to replace those that are destroyed through fire, storm and demolition, and those temporary units which are withdrawn from the housing market. Included in need is the number of units necessary to maintain an adequate equilibrium between supply and demand. Housing need is also based on the number of units necessary to adequately house the population at the accepted minimum standard for the community.

Housing is a commodity that is relatively immobile. With the exception of the trailer and the demountable house, it is not economically practical to transport housing. Consequently, the supply in any locality is fixed by present supply plus future production. But demand in a particular area can change rapidly, as we witnessed in our war industrial centers and are now witnessing in our university communities. Rapid increases in population soon create a housing shortage, while a rapid decrease will create an oversupply. This problem of rapid decrease in population may soon face university communities.

It can be seen that with a fixed supply and a rapid decrease in demand due to the loss of student families from the housing market, the community may find itself with a vacancy rate well above normal. The situation can become even more serious if the university has provided housing on a comparatively short financing period. The university may not be able, financially, to withdraw its housing immediately as the demand drops. This of course will only increase the oversupply of housing. As pointed out previously, units that do not realize an income over a period of time, will not be adequately maintained. If deterioration sets in, the community may find itself becoming a less desirable place of residence. While in the long run, the university community may find itself in need of additional housing, the short run situation can critically affect the condition of the housing supply.

This possibility places a strong emphasis on the need for a housing market analysis. Such an analysis should be continuing in order that the community may be informed as to trends in housing demand and needs. By doing this, the community may be able to develop a program of action to meet changes as they occur.

Book Reviews

Edited by H. MALCOLM MACDONALD

FRITZ MORSTEIN MARX, (Ed.): *Foreign Governments. The Dynamics of Politics Abroad.* (New York, Prentice-Hall, Inc., 1949, Pp., 713, \$6.35.)

This is a most useful textbook both for teachers and students of comparative government. The editor brought together no less than eight professors all experts in their particular field. The student of comparative government is offered a well-balanced, lucid and illuminating treatise about "the dynamics of politics abroad." With few exceptions governments of all the European countries are dealt with. Why Poland was omitted while Yugoslavia was included, or why the Low countries and the Iberian Peninsula were left out is not explained. Germany and Austria are also discussed, while four non-European powers have been added, namely China, Japan, Mexico, and Brazil.

That so many foreign governments could have been dealt with without superficiality in not more than 697 pages from which, moreover, some 55 are used for a general introduction and conclusion by the editor is in itself a marked achievement. Since the treatment throughout the book is fully up-to-date and makes a sincere and, on the whole, successful attempt to penetrate below the surface to the roots of past and present troubles, it can be recommended with good conscience as one of the best recent books on foreign governments.

The following criticisms, however, have to be made:

In his introduction the editor says that it "was not intended to produce a procrustean uniformity." But I think that a little more uniformity would have been useful for the purpose for which the book had obviously been written, namely to serve as a textbook. As it is, one wonders why, for instance, Part II, dealing with Britain, devotes a special section to "judicial administration" while nothing is said about the judicial system of France or of Italy in Part III.

Too many details are included in some chapters. These details tend to make it difficult for an inexperienced student to pick out the fundamentals. In a textbook as such all the dispensable details ought to be omitted. If necessary, they can be sought after in the actual texts of respective constitutional documents. Thus, for instance, while it is highly desirable to mention in detail how the power of dissolution works in France, it is superfluous to burden the student's mind with such details as how many days the French or Italian presidents are given to exercise their right of suspensive veto, etc.

There are certain inaccuracies or ambiguities. Most of them are due, I think, to the attempts of the authors to pack their contributions as full

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of details as possible. Thus, on page 244 it is said regarding the Italian referendum for the repeal of a law: "The repeal will take effect if in the referendum it is voted for by a majority of those entitled to vote." But the real text of Article 75 of the Italian constitution reads: "The proposition submitted to the referendum is adopted if the majority of voters had taken part in the vote *and if the majority of valid votes had been reached.*"

In the first chapter of the book, entitled *Man and the State*, the editor stresses, and rightly so, that "the more prominence comparative study succeeds in giving to the human element, the less danger there is that it will end up in a meaningless comparison of empty form and ossified ritual." Yet, while some of the authors have given in their contributions ample prominence to the human factor—for instance, Professor Hazard in dealing with the Soviet peoples—others have not. This is to be regretted since governments and politics cannot be fully grasped unless one learns to know the national temperament of the peoples concerned.

Finally, a word about the Soviet Union. While this part is written in an able and interesting way, it somehow gives the impression that the real issues are being avoided. It is the general spirit rather than any specific point which creates that impression. It seems as if an honest attempt to be as fair and as objective as possible had led the author to neglect certain aspects of the issue, and thus the Soviet system of government appears in better clothing than it actually is.

Perhaps the following few examples may make clear what I have in mind:

On page 447 the following paragraph appears: "With the approach of World War II, certain territorial changes occurred on the western borders of the USSR. Five more territories were brought into the Union as Union Republics to raise the total to sixteen. These were the Karelo-Finnish, Estonian, Latvian, Lithuanian and Moldavian Soviet Socialist Republics, all of which entered in 1940. The Union has remained open to any other states who wish to join."

Well, to describe in this way the forcible annexation of three nations and to speak about their "entry" into the Soviet Union seems to me too strong an euphemism!

Speaking of the enforcement of discipline in the communist party, Professor Hazard says on page 428: "Those who do join appear to practice discipline not out of fear of consequences, but because they understand its purpose. Discipline is essentially assumed voluntarily."

Though this may be true in case of a very small minority of party members, it can hardly be said that it could apply to the bulk of the six million party members.

The author describes on page 450 the position of the Soviet Prosecutor General as follows: "The Prosecutor General reports directly to the Su-

preme Soviet. This position of independence is designed to lift the prosecution above fear or favor." Taking this assertion at its face value, an unexperienced student might easily be misled into believing that indeed the "Prosecutor General of the USSR is directed by the constitution to act impartially in the interests of the state, which may require prosecution of high government officials."

This is the conclusion which Professor Hazard makes on page 467 about the system of choice of candidates, stressing the fact that these are selected from different occupational groups: "It may be that twenty years of experience with one former system together with the impracticability of introducing a multi-candidate election, induced party leaders to devise a procedure that would have results comparable to those achieved elsewhere by proportional representation."

Can any such kind of comparison be made between democratic elections and elections in the USSR?

On page 489 the author asserts: "Constitutional means are made available to citizens to disclose irregularities in government." And on the following page he adds: ". . . there are many letters to the editor. The press provides a means through which the public may bring injustice to the attention of the highest officials."

Does it indeed? I most certainly deny that. Obviously, such sweeping statements are bound to evoke in a student's mind a fallacious picture of reality in the Soviet Union, all the more so if he is given no adequate description of how the system of press works under the Soviets.

The University of Texas

Eduard Taborsky

CHARLES WAGLEY AND EDUARDO GALVAO: *The Tenetehara Indians of Brazil: A Culture in Transition*. (New York, Columbia University Press, 1949, Pp., xviii, 200, \$3.75.

Charles Wagley and Eduardo Galvao present in their book on the Tenetehara Indians of the state of Maranhao, an important and excellent study of acculturation as it is occurring with an aboriginal people. This study is a portion of a larger program designed by Professor Ralph Linton for the study of acculturation. Its purpose was to supplement research that had been done on the Tapirapé Indians of central Brazil.

The Tenetehara were selected for study because of the contrast that they offered to the Tapirapé. The two groups though separated by a great distance, are much alike in many of their basic culture patterns and use languages which belong to the same family. The Tapirapé who have had less than forty years of sporadic contact with the Brazilians, have suffered severely as a result. The Tenetehara however, have had continuous contact with foreign cultures for more than three hundred years and an adjustment has been achieved which helped them to survive under con-

ditions that caused others to fail. Considerable modification has been produced in the aboriginal form of their culture but it is still growing and is still an all important factor to them in the maintenance of their identity as a people.

The data on the Tenetehara were secured by two field parties that visited them in the winter of 1941-1942 and in the early part of the spring of 1945. These parties were sponsored by the Department of Anthropology of Columbia University and the National Museum at Rio de Janeiro.

One chapter is devoted to a summary of the available primary sources on the Tenetehara. This account serves to throw their modern practices into relief and those portions of the culture in which acculturation is at work become very prominent. Additional orientation is secured by comparing them to the Tapirapé and the present day Brazilian farmers. The process of acculturation has produced many effects. One such effect is suggestive of the many changes that are reported by Professor Wagley and his associates. The Brazilians buy products such as *babassú* palm nuts and *copaíba* oil from the Tenetehara, who collect them. Since cash is paid for these, the Tenetehara use their earnings to purchase many things from the Brazilians that they have learned to need. The price of *babassú* palm nuts went up so high during the last war that many of the Tenetehara spent nearly all of their time hunting the nuts and as a consequence, neglected their gardens. This brought on a very critical shortage of food and many of the Tenetehara found themselves buying supplies from their Brazilian neighbors.

The report includes a chapter on myths and folklore. Acculturation is to be seen in the thirty-seven stories that are related. Negroes and the "government" (Brazilian authorities) have been given parts in some of them. Another chapter is devoted to the authors' conclusions which summarize succinctly the major phases of the Tenetehara culture which have been affected by acculturation. The appendix includes a list of kinship terms and a group of photographs, both of which are arranged very well. A bibliography and an excellent index complete the study.

In addition to the obvious value of this book for anthropologists and sociologists, it will also be useful for the inferences that can be made from its data in regard to the relative effectiveness of various policies that have been set up by the Brazilian government for the benefit, control, and protection of these people.

Laiten L. Camien

New Mexico College of Agriculture and Mechanic Arts

ELGIN WILLIAMS: *The Animating Pursuits of Speculation*. (New York, Columbia University Press, 1949, Pp., 230, \$3.25.) CURTIS BISHOP AND BASCOM GILES: *Lots of Land*. (Austin, The Steck Company, 1949, Pp., 307, \$3.00.)

Since much of the history of Texas revolves around its vast expanse of public land, it is interesting to note the recent publication of two books dealing with certain aspects of Texas land. Professor Elgin Williams, of the University of Washington, has written a scholarly study in economics, which he entitles *The Animating Pursuits of Speculation*. He points out the role that land, and especially land speculation, played in both the annexation of Texas to the Union and that part of the Compromise of 1850 providing for payment of the Texas Debt. The book is not, however, an "economic interpretation" of annexation, for the author has found it impossible to either verify or refute the oft quoted allegation that land speculation caused the annexation of Texas, but rather a study of the attitudes of some of the prominent men, in both the United States and Texas, who were interested in Texas lands during the period. Although these men were all engaged in the "animating pursuits of speculation," which Professor Williams feels was as much an end-in-itself as a means to an end, they were not wholly preoccupied with real estate values. "They were all, for instance, politicians, officers of one or more governments national, state, and local. None of them in their political capacities, however seemed utterly separate from the same men active in the business field." (pp. 31-32) To them, government and business were one.

This study should prove a valuable contribution to the understanding not only of Texas, but also of American, economic life in the mid-nineteenth century, for the spirit of speculation was not sectional.

Lots of Land, written by Curtis Bishop, from material compiled by Bascom Giles, commissioner of the general land office of Texas, purports to be a full story of Texas public land, how it is acquired, what was done with it, and what is left of it, as well as a story of the people involved in the struggle. Unfortunately, the volume does not succeed in fulfilling its avowed purpose. There is, for instance, no information concerning the amount of public land left, where it is located, whether submerged along the coast or otherwise. The lack of an index mars the usefulness of the book. Furthermore, there are several inaccuracies; for instance, Governor Elisha M. Pease is referred to as Elihu Pease and the statement is made that two steam boats came up the Trinity as far as Dallas in 1843, some twenty-five years before the arrival of the first of the only two steam boats ever to reach Dallas from the coast. At this late date the consistent reference to the Civil War as the War Between the States seems unnecessary to this reviewer.

All of the above is not to say that the book is without value. No matter how poorly told, the story of Spaniards hunting for cities of gold, of missionaries and missions, impressarios, settlers and filibusters, cattlemen, farmers who invaded the cattlemen's domain, and oilmen who found fabulous wealth beneath the Texas land, is a fascinating one. It is just that with the records of the General Land Office at hand, the book is a disappointing one.

Texarkana State College

Dick Smith

GUY HOWARD DODGE: *The Political Theory of the Huguenots of the Dispersion, with Special Reference to the Thought and Influence of Pierre Jurieu.* (New York, Columbia University Press, 1947, Pp., ix, 287, \$3.50.)

The Political Theory of the Huguenots of the Dispersion is the first attempt in either English or French to deal extensively with the political theories of the Huguenot leaders who were driven from France in 1685 by the Revocation of the Edict of Nantes. While many Huguenot writers, particularly those who took up residence in Holland, are considered, the writings of Pierre Jurieu provide the backbone of the book and by it for the first time considered comprehensively. Jurieu was the most prolific polemical writer of the Dispersion and the center of most of its political speculation and controversy. His works were the objects of attack both of Catholics like Bosseut and moderate Huguenots like Pierre Bayle.

Without exception, the interest of the Huguenot writers was directed toward the home country, its political and religious institutions, and the possibilities of its reconstruction so as to allow the return of its exiled Protestants. The impact of a dawning Age of Reason upon their Calvinism and the influence of the English Revolution of 1688 and of English and Dutch political ideas upon their political philosophy are clearly indicated, and yet much inspiration seems to have been drawn from the French Monarchomachs of the sixteenth century. In fact, after lying dormant for a century, the ideas of these anti-monarchs appear to have been somewhat anachronistically resurrected. Hence, when compared with the more advanced political ideas of seventeenth century England and Holland, much of the body of this Huguenot thought impresses one as cautious and conservative. It must not be forgotten, however, that these homesick Frenchmen could never overlook the possibilities of coming to terms with an absolutist system. They had upheld it for a century under the Edict of Nantes; they might have to uphold it again.

Jurieu was the leader of the "Zealots" among the Huguenots domiciled in Holland. Although much of his writing is preoccupied with politics, his most systematic political philosophy is presented in certain of his *Lettres pastorales* published in 1689. Here he adheres to the ideas of popular sovereignty and the contract theory for both state and church; hence

the form of a polity is not directly of divine origin. Monarchs may be absolute or "tempered," but absolutism does not mean unlimited authority. Arbitrary government may be resisted, but never by the masses; the "people" is always a corporate body in the medieval sense. In this and in his advocacy of a limited religious toleration he was much more conservative than Locke whose ideas probably influenced him very little. During the War of the League of Augsburg he hoped for reform from a defeated France; later he pinned his faith in the Dauphin. On the whole, his writings show inconsistencies which his opponents were not slow in emphasizing.

While the author feels that the ideas of Jurieu and the other Huguenots of the Dispersion made a contribution in helping to bring about a gradual transmission of political ideas from the religious plane to the temporal and that their political thought is second only to the political ideas of the French Monarchomachs of the sixteenth century, it is difficult to see that they made much of a contribution to the French Age of Reason which drew its principal inspiration more directly from the more advanced ideas of England and other countries. The work under consideration is, however, a significant contribution. The Huguenots of the Dispersion undoubtedly provided a connecting link between the earlier French ideas of limited government, the English and Dutch ideas of the seventeenth century and the great age of French political thought that was to flower later in the eighteenth century.

The University of Texas

O. Douglas Weeks

GEORGE K. ZIPF: *Human Behavior and the Principle of Least Effort*. (Cambridge, Mass., Addison-Wesley Press, Inc., 1949, Pp., xi, 573, \$6.50.)

Dr. Zipf's stated purpose is to demonstrate "that every individual's movement, of whatever sort, will always be over paths and will always tend to be governed by one single primary principle . . . the *Principle of Least Effort*." By this principle the author means that the individual invariably behaves in such a way as to "minimize the *total work* that he must expend in solving *both* his immediate problems *and* his probable future problems." Part One of this book is concerned with the principle in relation to individual behavior, and Part Two pursues the thesis in relation to collective behavior. Since the idea has been dealt with conceptually by various theorists since the eighteenth century, it is, of course, not a novel one. Yet it may be doubted that any other thinker has within the compass of one volume looked at as many different facets of the subject.

In spots this is a brilliant treatise, and one well worth reading, but it is also very uneven and loose-jointed. By oversight or deliberate omission many forms of social behavior are excluded which manifestly cannot be

explained in terms of the principle of least effort. Shortly after beginning the perusal of this book several months ago, for example, the present reviewer witnessed the two-hour-and-a-half consecration ceremony of an Episcopal bishop and reflected upon the fact that the principle of least effort was about as relevant to explaining the pomp and circumstance of that occasion as would be the laws of thermodynamics. Even though the author's range of knowledge is unusual, and his citations show that he has dipped extensively into the literature of cultural anthropology and sociology, a consistent shortcoming of his *Human Behavior* is his underestimation of the importance of ritual and other patterns of social behavior which intricately intermesh the nonlogical and illogical along with the logical in human culture and society.

The author, a comparative philologist occupying a post at Harvard, has in recent years become more directly interested in social phenomena as such, and this interest has evidently carried him far afield in the various social sciences. In the twelve chapters of this treatise he deals at some length with such ramified matters as semantics, statistics, social Darwinism, Freudian psychology, ecology, social structure and dynamics, sex, culture, symbolism, dreams and art, the phenomena of power and status, and prestige. An attempt is made in many of these topics to quantify and reduce to algebraic formulas hitherto purely qualitative data. His perspectives of familiar data are often fresh and unusual and his formulations frequently most ingenious.

Despite some of his unusual insights into social phenomena, however, Dr. Zipf displays a peculiar combination of methodological sophistication and naiveté. At times he seems to confuse the principles of physical action and social action, and from the start apparently was unaware of some of the more familiar methodological pitfalls which have long been fairly well known to social scientists in the work of those who have attempted to reduce the complexities of social behavior to a simple, monistic determinism.

The author's work, regardless of the publisher's blurb about its being "written in simple terms understandable to the nonspecialist," is largely abstract in its conception, but it is replete with well-chosen illustrative materials, clever analogies, and rich first-hand observations. There is an acknowledged indebtedness to such men as Pareto and Veblen, as well as to a host of contemporary social scientists. Indeed, for one not initially a specialist in social science, his range of knowledge is remarkable. Dr. Zipf's handling of his ramified materials, as has been suggested, is uneven —some of them being treated in careful detail and others introduced in a discursive manner. Moreover, there are occasional factual errors (as in the confusion of Charles Hobbs with Thomas Hobbes, p. 225), some careless repetitions (as between p. 203 and 237), and some strongly expressed personal prejudices against New Dealers, interventionists, Anglophiles,

etc., here and there throughout the whole. The best analyses, as might be expected, are those in the author's own field, linguistic phenomena, but some of his analyses of areas conventionally regarded as the domain of anthropologists and sociologists are very incisive. There is, for instance, a keen and unusual functional analysis of mating behavior, of the processes of cooperation and competition, and of status complacency (hitherto largely ignored by social scientists) as well as status insecurity.

In the opinion of the reviewer, Dr. Zipf has fallen short of his main objective; given his basic premise there could hardly have been any other outcome. Even so, he has produced a stimulating book, full of penetrating analyses, subtle insights, and leads for further research.

Newcomb College, Tulane University

Logan Wilson

PAUL W. TAPPAN: *Juvenile Delinquency*. (New York, McGraw Hill Publication in Sociology, 1949, Pp., 613, \$5.00.)

As Lecturer in Law at New York University and Professor of Sociology, the author approaches this timely subject in a factual manner. He notes the limitations imposed by jurisprudence. Such an approach is enlightening and temporizing by comparison with the more sentimental appeal which often arouses sporadic and ineffectual efforts. Though the publication may be considered primarily a text book, and use is made of the research techniques of the social scientist (diagrams, graphs and statistical tables), such is done with intelligible interpretation. This book could well serve the civic minded who wishes to function as a leader reforming the court, or to serve as chairman of a steering committee bettering his community, as well as the journalist desiring to contribute articles for popular appeal.

It is well organized, has supportive footnotes and correlated bibliographies. Each chapter is introduced by the attention-getting devices of a case summary or a news item. In Part II the author presents the current interpretation of human behavior as revealed by research studies in ecology, biology, psychology and psychiatry. As one tends to accept the words of the expert with a degree of mesmerism, Tappan introduces the causation of delinquency for the critical reader by stating "The studies made so far do not prove causal relations but reveal efforts of increasing care and accuracy to discover what is significant in the development of delinquency."

"The Delinquent in Court" records the major socio-legal considerations with emphasis upon the problems that are entailed. As a juvenile attempts to effect an adjustment through conflict in his home, school, work and recreation so the court in many respects tends to further this conflict by its adjudication. With the rapid social changes today the adolescent's

behavior is changing and special attention is given to the development of Courts for the Adolescent.

"The Treatment of the Delinquent" is presented by consideration of probation. For one making this vocational choice, training and educational requirements are discussed. However, the author states this service is considered theoretically case work, but must function within the authoritative frame work of the court. Detention, institutional care and foster home placement are given critical evaluation.

"Prevention" serves as the closing topic. The responsibilities of "the social institutions" are emphasized. The social service program of the Social Security Act is discussed as a community service. "This raises a point that needs emphasis; the children's courts, urban or rural, can carry on a tremendously important function in prevention, one that is analogous to the appropriate role of the police in prevention. They can constitute sources of referral of cases to the agencies of the community that are prepared to perform specialized child-welfare treatment." This book can well be considered a challenging and inclusive publication.

Southern Methodist University

E. A. Freeman

VALDIMIR GSOVSKY: *Soviet Civil Law: Private Rights and Their Background Under the Soviet Regime*. (Foreword by Hessell E. Yntema.) (Ann Arbor, University of Michigan Law School, 1948, Pp., 909, \$10.00.)

Interest in Soviet political, economic and social development has long overshadowed that in Soviet legal history. Until the appearance of Dr. Gsovsky's *Soviet Civil Law*, the available literature on Russian legal problems has been limited to two or three small works and a handful of articles. Accordingly, the appearance of *Soviet Civil Law* is a most welcomed addition to the literature dealing with contemporary Russian legal problems.

The author, a former member of the Imperial Russian Bar and now Chief of the Foreign Law Section, Library of Congress, has divided his work into two volumes. The first is a commentary on Soviet private rights and their background, the second, still to be published, is a translation of the Soviet Civil Codes and related statutory law. In the first volume, the author gives a running account of the development of Soviet private law accompanied with a description of the historic background against which it evolved. The subjects treated include, in addition to a general introductory survey, such topics as domestic relations, private and civil rights, contracts, liability, torts, inheritance, etc. The wealth of material compressed into the first volume is remarkable. Since much of it has previously been unobtainable in translation, it affords a veritable gold mine of information for the student of comparative government and law.

As is inevitable in a work of this magnitude, certain errors have crept in, but they in no way detract from the over all usefulness of the work. The second volume, when it appears, will likewise be an important aid in the interpretation of the contemporary Russian scene. The University of Michigan and Professor Hessel E. Yntema, the Editor of the Michigan Legal Studies, deserve commendation for publishing what will prove to be an indispensable reference work for students in the field.

It is to be hoped that a publication of the Criminal Code and pertinent public law statutes may be undertaken both to supplement A. Y. Vyshinsky's *Law of the Soviet State* and as an extension of the present program of the University of Michigan Law School. A further project involving the translation of cases would also be of great value. In the meantime, *Soviet Civil Law* marks a significant step in the direction of making available the "stuff" of Soviet Jurisprudence for the English speaking student and scholar.

The University of Texas

H. Malcolm Macdonald

THOMAS A. BAILEY: *The Man in the Street: The Impact of American Public Opinion on Foreign Policy*. (New York, The Macmillan Company, 1948, Pp., viii + 334, \$5.00.)

This is a topical interpretation of American foreign policy and its conditioning by public opinion. The framework of the study is developed from the author's extensive knowledge of American diplomatic history. His purpose is to show not only *what* our foreign policies are and have been, but *how* and *why* they got that way. In the process many a popular legend and myth of American history is exposed. Furthermore, the difficulties inherent in reconciling international statesmanship with domestic politics in a democratic nation are made uncomfortably clear. The twenty-six topical chapters are followed by a brief concluding statement, a bibliography, and an index.

Each chapter stands as a unit, with a single thesis defined, illustrated and supported by a wealth of historical and contemporary detail, often interspersed or concluded with an evaluative commentary. Most of the subjects treated may be classified either as sociological factors important in understanding the currents of American public opinion bearing on foreign policy—the "why", or as the foreign policies themselves—the "what". Among the factors discussed are: the heterogeneous origins of the American population, our belief in the democratic form of government, our traditional dependence on physical remoteness from foreign powers rather than on military strength for security, preoccupation with domestic policies without regard to international repercussions, and the roles of sectionalism, ignorance, apathy, caprice, shortsightedness, selfishness, humanitarianism and religion among our citizenry so far as foreign

policy is concerned. Examples of the policies themselves are: isolationism, the Monroe Doctrine, Freedom of the Seas, and the Open Door. The role of propaganda and pressure groups, and of the press and radio, come in for brief treatment. The final chapter presents a plea for wider and more informed participation by citizens in the direction of our foreign policy.

Professor Bailey is to be congratulated for having organized and presented in very readable form a wealth of information on American public opinion in relation to foreign policy. His book deserves a wide and attentive reading public.

The author wrote, apparently, *for* as well as *about* the Man in the Street since he kept to a minimum such scholarly trimmings as footnote references to sources. In this respect the book illustrates the problem of the writer who is interested in both technical and non-technical readers: he cannot fully satisfy the desires of both. Dr. Bailey, furthermore, is distressing to the social scientist because of his ready resort to instinctivist explanations for complex learned attitudes (e.g., see pp. 176, 212, 220, 230). Finally, perhaps due to the topical arrangement, there appear to be inconsistencies of interpretation or emphasis from time to time on specific points.

In general, Dr. Bailey is much more successful at diagnosing than prescribing for this chronic ailment of our body politic: the development, consistent with American democratic institutions, of a sound, farsighted foreign policy. The work seems to reveal an undercurrent of antipathy toward the ignorant and provincial Mr. Average American (education: eighth grade) and an almost unconscious bias in favor of his English equivalent. This is not because of any necessary qualitative difference, but since "In England the average person is more willing to delegate responsibility, and let the trained diplomats of Downing Street conduct foreign affairs. . . . The American people, when they are articulate at all, not only tell their officials where they want to go, which is sometimes in the wrong direction or over the wrong road, but they frequently joggle the driver's elbow as he tries to dodge the ruts." (Pp. 124-125.)

Closely related is a type of mixed feeling which crops out in the author's vacillation between two psychological positions: much of the time he writes as a fellow-American without consciousness of his peculiar European antecedents; at other times he writes as though the Old Americans were the only thoroughly respectable citizens, and quite distinct from "hyphenate". (See Chap. 2, *passim*.)

Perhaps the most fundamental weakness of the work is revealed in the ambivalence of the terms applied to the Man in the Street himself, the very average American adult. Taken collectively he is "a giant who is fickle and ignorant," "the short-sighted masses," "the clamoring crowd," and "the mob;" at the same time he is "the electorate," "the sovereign

citizen." Bailey acknowledges that "The decisions of the American voter have often been wrong or faulty, but on the other hand they have more often been basically sound." (P. 149.) Unfortunately he fails to indicate a clear recognition of the basic fact that the strengths and weaknesses of political action in our democracy are inseparable, since both result from the broad and representative distribution of ultimate sovereignty. This failure leads to an unreconciled and perhaps unconscious desire to achieve the benefits of more aristocratic and delegated political forms while sacrificing none of the virtues inherent in the most thoroughly democratic forms.

Michigan State College

Edgar A. Schuler

BEATRICE GRIFFITH: *American Me.* (Boston, Houghton Mifflin Company, 1948, Pp., 341, \$3.50.)

Sociologists and anthropologists will find a rich source of illustrative material in Beatrice Griffith's *American Me.*, a Houghton Mifflin Literary Fellowship book about Mexican-American youth in the democratic society that has so decidedly failed them.

Caught between the sacred cultural patterns of the past to which their parents cling in a new bewildering world and the secular forces of highly specialized American society, these Mexican-American youth provide a stirring example of social disorganization springing from processes of socio-cultural change. In trying to bridge the gap between two cultures they are confronted with the added difficulties of oppression from being in a minority group.

The book refers particularly to the large numbers of Mexican-Americans in and around Los Angeles. It shows well how existing institutions do not adequately meet the needs arising from either social disorganization or oppression. The law, and especially the police, not only fail to meet needs, but personally aid in unjust persecution and deliberate discrimination. These officials as well as the city administration were obviously delinquent in the handling of the "Zoot Suit" mob riots of the early forties, which Miss Griffith so ably describes.

"Americans" bring change into one segment of the Mexican-American lives by taking from them their labor; yet they expect the Mexican-Americans to retain all other segments unchanged and to keep their problems to themselves. The "Americans" deliberately try to keep the troubles from their own doorsteps.

And troubles the Mexican-Americans have. The older generations, bewildered in the complex world whose language they cannot adequately speak, fall easy victims to the unscrupulous. They lack spokesmen and leaders since the successful ones abandon the mass and take on outward insignia of status by claiming Spanish rather than Mexican ancestry or by

assuming the role of "Americans", to exercise and even augment the persecution and discrimination of "those low class Mexicans".

The younger generation, between the world of their parents and the American world that denies them admittance, spontaneously evolved a loosely knit institution of their own, the Pachucos, regarded by the outside world as being totally delinquent.

Throughout the book Miss Griffith cites the few individuals and organizations who have successfully or unsuccessfully attempted to help the Mexican-Americans. She closes with a rather too optimistic survey of agencies now at work with the Mexican-American problem. Perhaps a weakness in this part of the book is that the ordinary reader will be satisfied that "things are being done" and will thus brush off the personal responsibility towards democracy that he is made to feel keenly throughout the forepart of the book. Perhaps in her emphasis upon "agencies" that are solving the problems, she underemphasizes the more diffuse positive or effective forces in assimilation.

The book is divided into pairs of chapters—one presenting facts and interpretations and the other revealing subjectively intended meanings of these facts as shown in concrete stories told by Mexican-American youth in the first person. The sociologist can gain from these personalized accounts many sociological insights in addition to those Miss Griffith separately presents in the factual chapters.

Besides socio-culture change and social disorganization, other socio-logical material illustrated are stereotyped thinking, language as a tool for understanding, mob violence, patriarchal family structure, accommodation, institutions and labor relations.

The author adds much to vividness and insight into the Mexican-American problems by the use of local terms. This is facilitated by a glossary giving the meanings to colloquialisms and to Spanish words and phrases.

Oklahoma A & M College

Therel R. Black

SAMUEL A. STOUFFER AND ASSOCIATES: *The American Soldier: Adjustment During Army Life.* (Princeton, Princeton University Press, 1949, Pp. ix + 599, \$7.50.)

The number of studies which open new areas for scientific disciplines—even the younger ones—is small indeed. When research achieves this end, it usually does so through contribution to theory. The present report—the first in a group reviewing the work of the Research Branch, Information and Education Division, War Department, during World War II—indicates another way. It bears the hallmark of eminence but this comes primarily—and avowedly—from demonstration of the utility of social science skills in "crisis" public administration. Let it be quickly

emphasized that the last sentence specifies *skills*, not science. To fail in this distinction would undoubtedly embarrass the senior author (perhaps the most complete empiricist among front-line sociologists) who recently in relation to this work has stated:

"A phrase like 'application of the social sciences in a practical situation' implies that there is a science to apply. It implies the existence of a body of tested theory from which deductions can be made, applicable to new concrete situations. In all candor I would not think that social science, or at least those regions of social science with which I have most familiarity, does as yet have a body of tested theory from which many deductions can be made, applicable to new concrete situations. Hence, it is a fair question whether so-called social engineering of the kind we did in the War Department can properly be called an application of social science."

Be this as it may—and Stouffer's qualifications indicate it to be a plea for extension of empirical testing—skills in addition to being something have to be applied to something. Since they must also lead to something, there still may be grounds for hope. If the empiricism behind these War Department studies is nigh complete, that does not necessarily mean it is grossly eclectic or indiscriminate. The skills exhibited are those of modern polling—and these extend to all devices pertinent to definitive mass observation. The frame of reference is Army personnel administration; the end of the effort, more successful pursuit of war; the immediate concerns, assorted problems in administration.

There will be four volumes in the series. There will be companion reports dealing with combat adjustment (*Combat and Its Aftermath*, now available), mass communication experiments, and a methodological review on measurement and prediction. It is the last two of course which offer greatest promise for social scientists. If the final one matches its obligation, the series may indeed be—despite the froth about social engineering—*The Polish Peasant following World War II*.

I assume the first volume was written principally for future high Army brass. The first two chapters, introductory backdrops, reveal how it was done and recollections of the situation in which the Research Branch operated. These should be a handy record in case a parallel situation arises. Beyond this, they are valuable for any researcher who as a guest in the house must observe local etiquette and still get the potatoes passed—and the potatoes eaten. Anyone who has seen "practical problems" mess up social investigation can learn from these two chapters. I think the strategy and the tactics exhibited here deserve a medal—even a Purple Heart!

The eight chapters which are the body of this volume cover four broad topics: personal and situational factors in military adjustment, problems of military assignment and social mobility, responses of soldiers

toward leadership and their general military orientation, and the adjustment of Negro soldiers. While all of this is pertinent to instruction in sociology or social psychology, since the problem is that of institutionalization of individuals, it is that last section which stands out as *absolute must* material for plowing back into college instruction. Next year no course in Race Relations will be sufficient without it.

Oklahoma A & M College

Paul B. Foreman

F. R. BIENENFELD: *Rediscovery of Justice*. (New York, Oxford University Press, 1948, Pp., 263, \$4.00.)

This book is an appeal for a return to a concept of Justice based upon a natural law theory. Much of the argumentation is in the form of the traditional stock in trade of the natural law theorists and exactly what the author has "rediscovered" is a moot question. While complete "justice" cannot be attained in society, the author is of the opinion that a tolerable solution can be found by the establishment of a system of "mutual consideration and renunciation" based on a minimum acceptance of certain natural rights by individuals and states. Justice, so defined, is viewed as the *sine qua non* of social survival. In an attempt to lay the foundation for such social cooperation, Part IV of the book is devoted to a presentation of the author's "Minimum Bill of Human Rights", a good portion of which can be found embodied in the *Declaration of Human Rights* adopted by the General Assembly of the United Nations on December 10th, 1948.

Mr. Bienenfeld is greatly enamoured with his comparison of the development of the infant in the nursery and the evolution of social and political relations in the community. Unfortunately, like all comparisons, this one limps and when one finds the explanations for such social characteristics as communism, liberalism, conservatism, etc., in the parallel development of the nursery children, the *annus mirabilis* is truly upon us! Broad generalizations are scarcely the stuff out of which practical solutions are made.

Finally, certain misconceptions in regard to the American Political Scene can be excused only if one accepts a most tortured interpretation of the authors use of the word "election". Thus on page 134 we read ". . . . in the United States the judges of the Supreme Court are elected for life and not by the people," and on page 148, "The independence of the Supreme Court is guaranteed by its members being elected for life and therefore irremovable."

While the motivation behind the work is commendable, and admitting that on occasions the text is amusing reading, *Rediscovery of Justice* falls far short of making the "important contribution to our time" claimed for it by the publisher.

The University of Texas

H. Malcolm Macdonald

HAROLD HOFFSOMMER: *Regional Research Cooperation*. (Chapel Hill, University of North Carolina Press, 1949, Pp., 136, \$2.50.)

This little volume is a report of the experience gained in formulating and carrying through a piece of regional research in which the agricultural colleges of five states cooperated. The states involved were Arkansas, Louisiana, Mississippi, Oklahoma and Texas, and the project was a study of land tenure in the region. The report does not deal with the findings of the study but with the methods used in making it.

When all the states of a region are concerned about a common problem, it is obvious that more will be learned if their research efforts are pooled than if each proceeds independently. The collaboration can take one of two forms: (1) cooperative research or (2) coordinated research. If it is of the former type, the research workers through the region will collect uniform data and will work directly with one another in the tabulation and analysis of the data. If it is coordinated research, the procedures in the several states need not be uniform nor even addressed to identical phases of the problem. The regional picture is obtained by observing the way in which the state contributions complement and supplement each other. The project here reported on was one of cooperative research.

In a little more than one hundred pages, Professor Hoffsommer, who was the project director, describes (1) the genesis of the project, the way in which agreement was reached on its scope, and the formulation of a plan of procedure; (2) the problems which arose and had to be ironed out in collecting the data; (3) the problems incident to the processing and editing of the data; and (4) the decisions which had to be made in connection with the writing of the reports.

Having agreed that the project was to be one of cooperative rather than mere coordinated research, it meant that there must be joint action through all the research procedures. Granting that this is difficult to achieve, the author believes that the advantages warrant the extra effort. It made possible the fusion on a common problem of more subject matter fields than would have been possible had the workers had less contact with each other. It resulted in common and improved definitions and therefore as a result exact comparisons among the states, a larger body of data from which to draw generalizations, and a more reliable regional product. Finally, close collaboration among the workers in the region on common data gave greater inter-stimulation and mutual aid than would have been possible had each been working on a separate phase of the subject.

While the report is not exciting reading and probably will be read by only a limited audience, it is well that this experience and the lessons learned from it have been recorded. Similar adventures will not have to

be undertaken wholly on a trial and error basis. There are many regional problems that need to be explored. The Foundations which have been so generous in financing such research have a right to demand the most effective methods of expenditure. If regional phenomena are explored piecemeal, state by state, with little or no collaboration, money and research talent will be dissipated and still the findings will not have the validity that they might have. On the other hand, the reviewer's experience in regional research convinces him that the greatest gain is not the larger body of comparable data which results but the mutual stimulation that comes from collaboration on a common project. This benefit can accrue, however, from coordinated research as well as from cooperative research.

University of North Carolina

Paul W. Wager

MARGARET HILLER AND DOROTHY SABISTON: *Toward Better Race Relations*. (New York, The Woman's Press, 1949, Pp., 190.)

This book, edited by Margaret Hiller and based upon the field work of Dorothy Sabiston, recounts the experiences of community YWCA's in attempting to improve race relations within that organization. It is not a description of prevailing interracial practices in YWCA's, but is instead a record of methods by which more democratic interracial practices have been achieved.

Although the material in the book applies only to the YWCA, the book has a more general significance. Many of the difficulties discussed, and the conclusions reached, could apply equally well to any program attempting to improve race relations on a local basis.

Selected for field visits were 17 communities with active programs of improving race relations. Seven are northern cities, and two more are on the West Coast, but there are three border, and five southern cities. The communities selected were not necessarily those with the "best" race relations, in an absolute or equalitarian sense, but they all were communities in which determined efforts toward improvement were yielding promising results.

There were three different types of situations in these cities: first, those cities in which an integrated program within the YWCA has existed all along; second, cities which previously maintained Negro branches, but are now in the process of integrating their program; and third, cities in which the YWCA continues a system of separate Negro branches. Some cities of the first category, however, were stated to have virtual segregation, in practice if not in intent, as a result of locating YWCA branches in Negro residential areas.

Negro membership tended to be larger, and Negro leadership more adequate, in communities served by Negro branches. In such cities, the

first task was to provide contacts between white and Negro girls. In cities having an integrated program, the small Negro membership was the main concern. Their task was one of incorporating Negro girls and leaders into the one YWCA system.

The authors consider the end of segregation to be an advance, although they recognize that it often produces a decline in Negro membership and leadership. Continuation of the already-functioning clubs and services and a conscientious effort to include Negroes in responsible positions may minimize this danger, but the authors find no sure method of avoiding the dilemma.

Several principles necessary for any successful program are emphasized. Most important is the necessity of establishing personal contacts between leaders and members of the two races. Other points include: (1) working together toward common goals, rather than depending entirely upon talk (2) planning the program, step by step, by white and Negro leaders together (3) educating the membership and staff of both races in the purpose of the interracial program (4) cooperating with other organizations working toward improving race relations (5) spreading knowledge of actual conditions to white members (often changing attitudes) and (6) orienting the program to the ideals of the organization itself.

This book makes no claims to being profound, but does record experience. It should be a useful guide to any organization attempting a similar undertaking.

Vanderbilt University

Joseph S. Vandiver

PERSIA CAMPBELL: *The Consumer Interest: A Study in Consumer Economics.* (New York, Harper and Brothers, 1949, Pp., 660, \$4.50.)

In approaching Economics by way of the consumer, Dr. Campbell has attempted to do something logical and worthwhile but also something very difficult. Even the title indicates the problem in that it has to carry with it a sub-title to achieve clear definition. Since all economics is presumed to be "consumer economics" this study had to content itself with a sort-of make-shift name, "The Consumer Interest."

In 1776, Adam Smith, in the *Wealth of Nations* wrote that consumption is "the sole purpose of all production and the interest of the producer ought to be attended to only so far as it may be necessary for promoting that of the consumer". Unfortunately, the consumer was lost sight of in the ensuing years which were dedicated, with a tremendous single-heartedness of purpose, to production, finance, price, competition, and institutionalism.

To approach economics by way of the consumer and his interests is a decided contribution for any economist to make to the literature, but

alas, not always a rewarding one. The scope of the subject is so great that no one volume can do the job because it involves the encyclopedic materials of all economics.

Dr. Campbell's immediate problem was one of organization, and the result was probably a compromise which left out as much as was included. In Section I the author defines and classifies the consumer—a necessary chore—sketches the history of consumer material for 100 years, and then comes to grips with the impact of war crises on the consumer.

The author first comments upon consumption in the First and Second World Wars and then follows logically with a summary chapter on the whole subject of Rationing, Price and Income Controls. These chapters on crises are unique. Very little has been written on the subject of the consumer in war, probably because most people are optimistic. To this reviewer, somewhat gloomy and apprehensive by disposition and overcome by the pressures and prospects of cold and hot wars, these chapters seem shrewd and useful.

In the first four chapters of Section 2, the author discusses four consumer marketing functions: Choice, Price, Quality and Credit. These chapters are well done and are in the proper place. The next four chapters in this section are more doubtful in that Dr. Campbell decides, arbitrarily, to discuss only four elements of the consumer budget, Food, Housing, Medical Care, and Insurance. Certainly, Housing and Medical Care are areas of tremendous consumer interest, but the author takes no particular stand on these debated subjects and they get only a cursory handling because of space limitation. The chapter on Life Insurance is quite conventional, offering nothing which is peculiarly to the benefit of the consumer.

It is in Section 3, however, that the author's material really gets out of hand. No consumer economist could be expected to leave the consumer without a good discussion of what might be done to improve his average condition, and here it is that Dr. Campbell must have felt particularly frustrated for want of space. Four chapters indicate the cosmic scope of the subject matter: Factors Affecting the Food Supply (shades of the controversy between Vogt and Stakman), The Flow of Industrial Products, Government in the Economy, and International Relations. To attempt to compress such discussions within 137 pages is, practically, to attempt the impossible.

The book has a good index but no summarized consumer bibliography, which would have been useful. It is well written and readable, although in places the writing has had to take on the form of a slightly expanded brief, this to keep the size of the book within limits.

Finally, this reviewer wonders about the place of such a book among "consumers". It is doubtful that just consumers would buy it or read it even though it was written for them. It is doubtful whether it would

serve as a text for college courses in basic economics or marketing, both large and lucrative markets. One may suspect, unhappily, that this sincere contribution to an important segment of economics, written by an enthusiastic specialist in the field, will be read by only a small, select and equally interested audience.

The University of Texas

Everett G. Smith

EDGAR T. THOMPSON AND ALMA MACY THOMPSON: *Race and Region*. (Chapel Hill, University of North Carolina Press, 1949, Pp., ix + 194, \$5.00.)

This bibliography, representing a broad sampling of the materials on race relations held by Duke University, North Carolina College, and the University of North Carolina, belongs on the shelves of every Southwestern college or university library. It is, moreover, a priceless find for any social science instructor interested in any way with racial behavior. Containing thirty-two topical sections and an author index, the volume includes both book and periodical citation references in complete documentation form. These are followed by short identifying descriptions, either excerpt or summary.

Having devoted considerable time two years ago to the creation of a similar list, the present reviewer recommends *Race and Region* without qualification as the most complete and critical bibliographic guide available in this interest area. Obviously, it offers two immediate services: first, it is a strong support for course work; second, it places within easy reach a dependable device for surveying library holdings and planning careful purchasing. It is sufficiently comprehensive in this latter regard to be of value in large as well as small schools. This is true because of the patient scholarship which produced this list and because the universe from which this selection was made—holdings in these three libraries—is among the strongest collections in the nation.

Oklahoma A & M College

Paul B. Foreman

LEONARD D. WHITE: *Introduction to the Study of Public Administration* (Third Edition). (New York, The Macmillan Co., 1948, Pp., xvi, 612, \$5.75.)

For twenty years Professor White's textbook has served classes of American college students as their "Introduction to the Study of Public Administration." The three editions of this book—1926, 1939, 1948—provide unusual opportunity for an illuminating essay on the study of American public administration during a critical period of development. The customary book note must suffice here, however.

In general, this edition follows the revised edition of 1939; however,

several of the more technical chapters have been omitted and new ones added—a new section is included under the heading "The Dynamics of Management." The third edition is a careful revision and reflects throughout the maturity and scholarship of the author. The book must be considered by all teachers of public administration for use in the basic course.

The University of Texas

Wilfred D. Webb

AQUINAS: *Selected Political Writings*. (Edited by A. P. D'Entreves with translation by J. G. Dawson.) (New York, Macmillan Co., 1948, Pp., 199, \$2.25.)

This translation of selections from St. Thomas Aquinas is a most welcomed addition to the Blackwell Political Text Series. Containing all of Book One of the *De Reginime Principum*, the entire text of *De Reginime Iudeorum* and selections from the *Summa Contra Gentiles*, *Summa Theologica*, *Commentum Sententiarum Magistri Petri Lombardi*, and the *Commentaries* on Aristotle's *Ethics* and *Politics*, this collection offers the student a practical introduction to the political thinking of the Angelic Doctor. Prior to this publication there has been no convenient collection of Thomas's political thought and the beginning student has had to plow through the *Summas* and other works in order to distill out the political concepts contained therein.

It is regrettable that longer excerpts were not made from the *Commentaries* on Aristotle and it has always distressed this reviewer that editions of the *De Reginime Principum* omit the concluding books which, while admittedly not the work of St. Thomas, nevertheless throw an illuminating light on medieval political ideas.

The text is arranged on parallel pages, Latin on the left and English on the right which contributes greatly to the usefulness of the work. The translation is excellent, that of the *De Reginime Principum* being superior to the one published in 1938 for the Pontifical Institute of Medieval Studies. Professor D'Entreves' introduction lends the book the luster of his penetrating analysis and internationally recognized scholarship. The publishers are to be congratulated for making available at a reasonable price an outstanding collection of St. Thomas's significant political ideas, the lack of which has long been felt in the Universities of this country.

The University of Texas

H. Malcolm Macdonald

Other Books Received

Belloc, H.: *The Restoration of Property*. (New York, Sheed & Ward, 1949, Pp., 144, \$2.00.)

Bond, U. I.: *Exploring the South*. (University of North Carolina Press, 1949, Pp., 404, \$3.50.)

Browne, Henry J.: *The Catholic Church and the Knights of Labor*. (Washington D. C., Catholic University of America Press, 1949, Pp., 415, \$4.00.)

Bureau of Curriculum Development, New York State Dept. of Education: *Learning to Spell*. (Albany, Univ. of the State of N. Y., 1949, Pp., 33.)

Bureau of Public Administration, University of Virginia: *International Commitments and National Administration*. (Charlottesville, Virginia, University of Virginia, 1949, Pp., 108, \$1.50.)

Committee on Research in Medical Economics: *How a National Health Program Would Save the South*. (New York, Committee on Research in Medical Economics, 1949, Pp., 24.)

Committee on Research in Medical Economics: *Restrictions on Free Enterprise in Medicine*. (New York, Committee on Research in Medical Economics, 1949, Pp., 23.)

Craven, W. F.: *Southern Colonies in the 17th Century, 1607-1689*. (Baton Rouge, Louisiana State University Press, 1949, Pp., 451, \$6.00.)

Davis, M. M. & Smythe, H. H.: *Providing Adequate Health Service to Negroes*. (New York, Committee on Research in Medical Economics, 1949, Pp., 14.)

Fink, A. E.: *The Field of Social Work* (Revised Edition). (N. Y., Henry Holt & Co., 1949, Pp., 577, \$3.75.)

Garrett, Helen: *When Shall We Begin to Teach Reading?* (Albany, The University of the State of New York, 1949, Pp., 50.)

General Education Board: *Annual Report 1947-1948*. (New York, General Education Board, 1949, Pp., 304.)

Hillenbrand, M. J.: *Power and Morals*. (New York, Columbia University Press, 1949, Pp., 217, \$3.25.)

La Piere, R. T. & Farnsworth, P. R.: *Social Psychology* (3rd Ed.), (New York, McGraw-Hill Co., 1949, Pp., 626, \$4.50.)

Le Buffee, S. J., F. P., and Hayes, J. U.: *The American Philosophy of Law* (Revised 4th Edition). (New York, Crusader Press, 1947, Pp., 418.)

MacCorkle, S. A. and Smith, D.: *Texas Government*. (New York, McGraw-Hill Co., 1949, Pp., 587, \$3.75.)

MacIver, R. M. and Page, G. H.: *Society: An Introductory Analysis* (Revised Edition) (Rinehart & Co., New York, 1949, Pp., 697, \$5.00.)

Martin, E. M.: *The Allied Occupation of Japan*. (Palo Alto, Calif., Stanford University Press, 1948, Pp., 155, \$3.00.)

McGinty, G. W.: *A History of Louisiana*. (New York, Exposition Press, 1949, Pp., 318, \$3.50.)

Merriam, C. E. and Croswell, H. F.: *The American Party System* (4th Ed.) (New York, Macmillan Co., 1949, Pp., 530, \$4.65.)

Newell, H. P. and Krieger, A. D.: *The George C. Davis Site—Cherokee County, Texas*. (Menasha, Wisconsin, Society for American Archaeology & University of Texas, 1949, Pp., 255, \$3.50.)

Shotwell, J. T.: *A Balkin Mission*. (New York, Columbia University Press, 1949, Pp., 180, \$2.25.)

Stucki, M.: *Uncle Sam's Children*. (New York, The Exposition Press, 1949, Pp., 32, \$1.50.)

United Nations: *Handbook of the United Nations and Their Specialized Agencies*. (New York, International Documents Service, Columbia University Press, 1949, Pp., 222, \$1.00.)

News Notes

The 1950 convention of the Southwestern Social Science Association will be held in Houston, Friday and Saturday, April 8 and 9, it has been announced by President Edwin J. Foscue as a result of a survey of possible convention sites authorized by the Executive Council. The Rice Hotel has been designated as the convention hotel. Members are urged to make their plans to attend early, especially those who will come as representatives of their institutions.

We regret to announce the death on August 8, 1949, at Shawnee, Oklahoma, of Professor Fred G. Watts, for many years a member of the Association. Professor Watts had been associated with the faculty of Oklahoma Baptist University for twenty-three years and was head of the departments of sociology and economics at the time of his death.

Dr. William J. Wallace has been appointed assistant professor of sociology at the University of Arkansas. His main interests are in cultural anthropology and he will teach courses in that field. Professor Wallace did his advanced graduate work at the University of California and comes to Arkansas from Indiana University. Dr. Franz Adler, of the same department, taught during the summer at Roosevelt College, Chicago. Dr. Adler delivered a paper on "A Systematic Approach to Man and Society" at the spring meeting of the Arkansas Academy of Science, Little Rock.

Dr. Stephen Stephan, head of the department of sociology, University of Arkansas, who was named Fellow of the Southern Regional Council this spring, taught during the summer at the University of Arkansas Graduate Resident Center for Negroes, Pine Bluff.

The department of sociology and rural life, Oklahoma A. and M. College, announces five resignations and six new staff members. Professor Robert T. McMillan has resigned to accept a similar position at Alabama Polytechnic Institute, Associate Professor James E. Montgomery to accept a position at Cornell, Assistant Professor Therell B. Black because of ill health, Instructor Charles D. McGlamery to pursue further graduate work at the University of Washington, and Research Assistant James W. Roberts to do organizational work with the Oklahoma Farm Bureau Federation. New appointments include Associate Professor John C. Belcher, from the University of Mississippi; Associate Professor Joseph S. Vandiver, from Vanderbilt; Assistant Professors Roger Nett, from Washington State College, Robert A. Rohwer, from Iowa State College, Solomon Sutker, from the University of North Carolina; and Research Assistant Marylee Mason Vandiver, from Vanderbilt.

Mr. William S. Livingston and Mr. James R. Roach, who are completing their work for the Ph.D. at Yale and Harvard, respectively, will join the staff of the department of government at the University of Texas as assistant professors in September 1949. Mr. Livingston will teach in the comparative government field and Mr. Roach in international relations. Dr. Eduard Taborsky, who was visiting lecturer in government during the second semester 1948-1949, will remain with the department as lecturer this year, continuing to teach courses in continental European governments.

The department of history, Southern Methodist University, announces the designation of Dr. Herbert Gambrell as chairman, succeeding Dr. H. A. Trexler, who will continue with the department as professor of history. Dr. Gambrell has been with the department since 1923 and is chairman of the social science division of the college. His *Anson Jones, the Last President of Texas* received the award of the Texas Institute of Letters as the best Texas book of the year, and the Collins Prize of \$1000. The same department reports that President Umphrey Lee, of Southern Methodist University, will join the teaching faculty of the graduate school this fall and offer a seminar in English history. The department also announces the appointment of William Warren Sweet, professor emeritus of the University of Chicago, as visiting professor of history.

The University of Kansas announces the appointment of H. K. L'Ecuyer, who has his M.B.A. from the Harvard Graduate School of Business and who has been associated with the firm of Price, Waterhouse and Co., New York, as associate professor of industrial management; Dr. Robert Eckley, who did his advanced graduate work at Harvard, has been designated assistant professor of economics; John T. Weatherwax, a Certified Public Accountant in Kansas, joins the staff as instructor in accounting; and Wayne Clark Randall, M.B.A., Harvard Graduate School of Business, as instructor in economics. Assistant Professor J. D. Morgan has been promoted to the rank of Associate Professor of Finance.

Dr. Lowell L. Blaisdell has been appointed assistant professor of history at the New Mexico College of Agriculture and Mechanic Arts; Dr. Blaisdell holds the doctorate of the University of Wisconsin. Dr. Sigurd Johansen, professor of sociology and head of the department of history and social science at New Mexico A. and M., was elected to the Committee on Teaching of the Rural Sociological Society at the last annual meeting.

Dr. William E. Schenk, of the department of economics, A. and M. College of Texas, has been granted a leave of absence for the year 1949-1950, to permit him to fill an assignment as visiting professor at the Autonomous University of El Salvador. Dr. Leland B. Yeager has been named instructor in economics for this year, and Mr. James M. Waller,

of the University of North Carolina, has accepted a position as assistant professor of economics.

The department of government, North Texas State College, has granted a leave to Mr. E. Ray Griffin for study at Duke University during the year 1949-1950. The same department announces the addition of two new staff members: Mr. H. W. Kamp, Jr., former lecturer at Columbia University, who will teach in the public administration and public law fields; and State Senator R. L. Proffer, who joins the staff to give courses in state government and legislation.

The department of agricultural economics and sociology, A. and M. College of Texas, has granted a leave to Associate Professor M. N. Williamson for graduate study at Harvard on a fellowship of the General Education Board. Assistant Professor Wayne C. Rohrer, of the same department, has resigned to pursue graduate work at Michigan State College. Dr. Robert L. Skrabaneck, who received his doctorate at Louisiana State University this year, joins the staff in the rank of assistant professor. Two staff members were representatives at special summer events: L. P. Gabbard, head of the department, attended the United Nations Conference on Utilization of World Resources at Lake Success, August 17-September 6; and Associate Professor Leland S. Paine attended the six weeks session of the Land Economics Institute at Iowa State College. The department also reports the setting up of a new research project to determine the impacts on ginning of the mechanical harvesting of cotton. Assistant Professor James M. Ward has moved to Lubbock to do field research for this project.

Professors E. A. Davis, J. P. Moore, C. E. Smith, and R. B. Holtman, of the department of history, Louisiana State University, spent the summer in research projects they have under way. Professor Davis is preparing a history of Mexico City, and Professor Moore is doing a study of local government in colonial Mexico.

Dr. Harry F. Corbin, associate professor in political science, University of Wichita, has been elected President of the University. Mr. Raymond Kline, who did his master's work at the University of Oklahoma, joins the staff of the department of political science in the rank of instructor.

The staff of the department of agricultural economics, Louisiana State University, has instituted a program of weekly conferences at which staff members and graduate students will meet together to discuss research in progress and current problems of economic interest.

The South Central Region of the Soroptimist International Association, at their annual meeting in Oklahoma City May 13-15, 1949, voted to make available a \$1,500 fellowship for graduate study. It is to be awarded to a woman in a field "rare and difficult for women to enter, such as international law and organization, diplomacy and international politics and international economic relations." The applicant must have completed her AB degree and be working for her Master of Arts in law and diplomacy, or Doctor of Philosophy. Candidates should contact Mrs. Grace B. Shurley, 1112 Barclay, Fort Worth, Texas, Chairman of the Fellowship Committee.

Dr. Garnie W. McGinty, professor of history and head of the department of history at Louisiana Polytechnic Institute for the past twenty-one years, has been appointed acting president of Northwestern State College, Natchitoches, Louisiana, effective July 1, 1949.

Dr. John Duffy has been appointed associate professor of history and Mr. William C. Harvard assistant professor of government at Northwestern State College, effective September 1949.